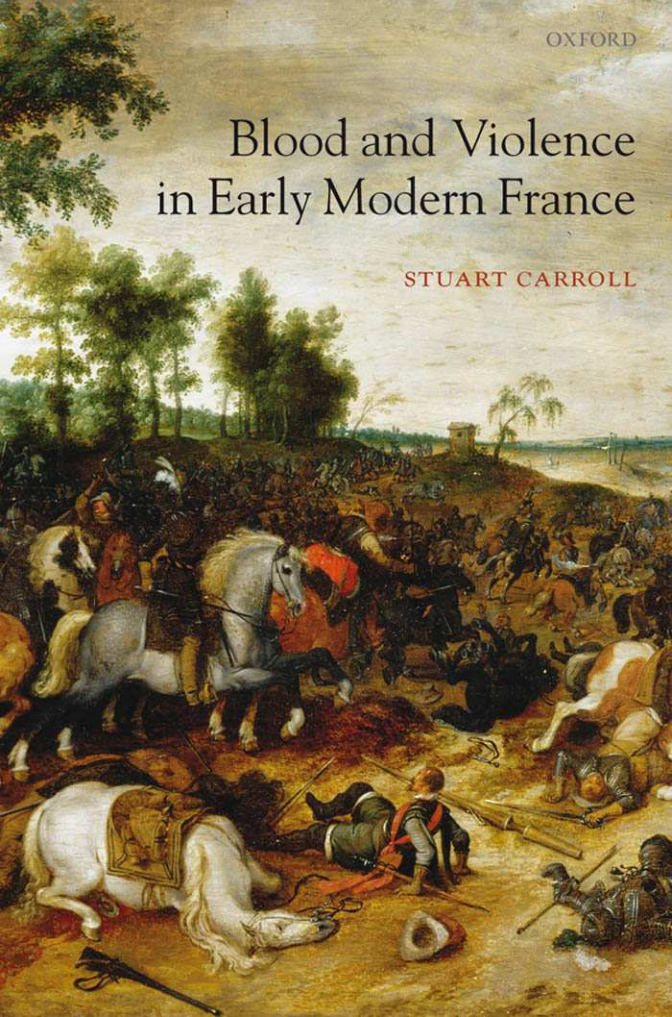


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Blood and Violence in Early Modern France

STUART CARROLL



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BLOOD AND VIOLENCE IN EARLY
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For two Toms who never met, for Ethan and Nan

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List of Abbreviations

AD	Archives Départementales
AN	Archives Nationales
Anselme	Le P. Anselme, <i>Histoire généalogique et chronologique de la maison royale de France, des pairs, grands officiers de la couronne & de la maison du roy</i> , 9 vols. (Paris, 1726–33)
APP	Archives de la Préfecture de Police
BN	Bibliothèque Nationale, Paris
MS Fr	Manuscripts Français
Brantôme	Pierre de Bourdeille, sieur de Brantôme, <i>Œuvres</i> , ed. L. Lalanne, 11 vols. (Paris, 1864–82)
Chenaye-Desbois	F. de la Chenaye-Desbois and Badier, <i>Dictionnaire de la noblesse</i> , 19 vols. (Paris, 1863–76)
Floquet	A. Floquet, <i>Histoire du privilège de Saint-Romain</i> , 2 vols. (Rouen, 1833)
<i>Mercur</i>	<i>Le Mercure françois, ou, la suite de l'histoire de la paix. Commencant l'an 1605, pour suite du septenaire du P. Cayet.</i> From 1605 to 1635 ed. J. and E. Richer, and continued to 1644 by J. Renaudot, 25 vols. (Paris, 1611–48)
Michaud and Poujoulat	J.-F. Michaud and J.-J.-F. Poujoulat (eds.), <i>Nouvelle Collection des mémoires sur l'histoire de France</i> , 1st series 13 vols., 2nd series 10 vols. (Paris, 1836–54)
NA	Nouvelles Acquisitions
Tallement des Réaux	Tallement des Réaux, <i>Historiettes</i> , ed. G. Mongrédien, 8 vols. (Paris: Garnier, 1932–4)

A Note On Usage

Dates are in the old (Julian) style until the Gregorian calendar reform of 1583, except that the year is presumed to have begun on 1 January. In order to improve the readability for the non-specialist I have opted in the main to replace French terms and technical words where there is an English equivalent, hence seneschal rather than *sénéchal*. The majority of men in this book styled themselves *écuyer* (esquire) or *sieur*, the lowest rungs on the noble hierarchy, but for the sake of narrative flow I indicate their status and seigneurie only where necessary.

The French pound (*livre*) was a money of account and did not circulate as specie. There were two variants at this time, the *livre tournois* and the *livre parisien*. All references in the text are to the former and for the sake of simplicity I have converted the latter into *livres tournois*. The value of the *écu* (crown) fluctuated in value. For accounting purposes at the end of the sixteenth century it was worth three *livres tournois*. Comparisons are difficult but it is generally reckoned at the same date that around ten to eleven *livres tournois* converted to one pound sterling.

Al Rey la hacienda, y la vida
Se ha de dar; pero el honor
Es patrimonio del alma
Y el alma sólo es de Dios

(Calderón)

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Introduction

Vengeance is a sweet passion ingrained in us by our nature.

(Montaigne, *Essays*, iii. 4).

Vengeance fascinates us because it is always ambivalent. Ambivalent because it has two registers: the one, vindictive, derives from instinct and comprises an impulse for revenge driven by passion and appetite; the other, vindicatory, derives from law and human society and incorporates retribution as a form of reciprocity or compensation that restores equilibrium. For Montaigne it is this duality that makes vengeance sweet: unlike other passions it is open to the application of reason, since it can be delayed, controlled, or redirected. His was not a new idea. Vengeance's Janus-face has inspired poets and dramatists ever since the Greeks. Though the Bible is explicit that vengeance belongs to God alone, in the medieval West thinkers had to adapt Christ's message to the realities of a society where honour was the currency of social exchange and customary vengeance a fact of life. The greatest theologian of the Middle Ages, Thomas Aquinas, distinguished vengeance from anger because the former is not blind and could be used for good or ill: revenge based on reason and repairing injustice is legitimate. The positive connotations of vengeance continued to resonate for Friedrich Nietzsche, who saw vengeance as a noble sentiment because it is derived from a desire for justice; in this respect it is the opposite of *ressentiment*, a base emotion indicative of a slave mentality.¹

Until recently, Nietzsche was a lone voice, for in general vengeance was seen not as an analytical category but a moral problem that had to be overcome. The roots of this thinking can be traced to Montaigne's contemporaries who systematically applied Stoic thought to Christian principles, identifying vengeance entirely with the 'savage' instinct of anger. Grotius, for example, took the opposite view from Montaigne: vengeance is against reason because it derives from the animal within us and must be tamed. And Hegel took the idea to extremes in arguing that vengeance is interminable and without measure, an elemental force that must be repressed and overcome before true justice can be achieved: 'among uncivilized peoples, revenge is undying . . . where it can only be suppressed by superior force'.² Vengeance is thus an endless cycle which stands outside the law. This logic had immense force in the nineteenth century because it dovetailed with the

¹ For an exhaustive discussion of vengeance and its various meanings: R. Verdier and J.-P. Poly (eds.), *La Vengeance: études d'ethnologie, d'histoire et de philosophie*, 4 vols. (Paris: Cujas, 1980).

² A. Wood (ed.), Hegel: *Elements of the Philosophy of Right* (Cambridge: Cambridge University Press, 1991), proposition 102.

dominant role attributed to the rise of the nation state in history, in which a culture of vengeance is characteristic of a society with weak political authority that, as centralization and civilization progress, is replaced by the mechanism of state-directed punishment. Civilization connotes not simply a certain level of social and political organization but the end of an ongoing historical process in which a primitive society is transformed by the sublimation and control of violence. In an age of colonial expansion, where the suppression of 'barbaric' and 'primitive' behaviour had a moral and racial imperative, this was a seductive idea. In *Civilization and its Discontents* Sigmund Freud produced the most persuasive account yet for equating civilization with the ongoing process of repressing man's biological instincts: 'the inclination to aggression is an original, self-subsisting instinctual disposition in man . . . it constitutes the greatest impediment to civilization.'³ Freud identified the internalization of these drives as the cause of our present neuroses.

During the nineteenth century thinkers and historians preoccupied with the origins of modern civilization began to periodize history according to their concept of human progress, giving prominence to a period they termed 'the Renaissance' in order to distinguish the new age of the discovery of the world and of man from the darkness of the 'Middle Ages' that had preceded it. In the *Civilization of Italy in the Renaissance*, Jacob Burckhardt established the essential juxtaposition between the 'child-like nature' of medieval man and his self-conscious descendants. Burckhardt was much concerned with the bloody character of the Italian Renaissance, though like his friend and pupil Nietzsche he was well aware that revenge was not blind but principled, deriving from a sense of justice and regulated by custom and law. He distinguished between this sort of revenge which 'keeps more or less within the limits of retaliation—the *jus talionis*' and the passionate anger of hot-headed violence 'not only requiring the sanction of the sense of justice, but craving admiration, and even trying to get the laugh on its own side'.⁴ This he equated with vendetta—an endless cycle of violence. Even so, the Italian was more privileged than the northerner, since in the former 'we find more cold calculation in cases where the northerner rather follows his impulse, the reason that individual development in Italy was not only more marked and earlier in point of time, but also far more frequent'.⁵

Johan Huizinga's *Waning of the Middle Ages* (1919), probably the most influential work of medieval history in the twentieth century, written as a riposte to Burckhardt, transfers the field of enquiry to Northern Europe and presents the fifteenth century as an age of decline rather than rebirth. But Huizinga reinforces rather than challenges the chronological divide between medieval and early modern, a divide that is cultural and mental rather than economic and social. Violence, and man's attitude towards it, are crucial to this dichotomy; the *Waning*

³ S. Freud, *Civilization and its Discontents*, trans. J. Riviere, 2nd edn. (London: Hogarth, 1963), 313.

⁴ J. Burckhardt, *Civilization of Italy in the Renaissance* (London, 1990), 277.

⁵ Ibid. 278.

of the Middle Ages opens with 'The violent tenor of life'. In the onward march of civilization, medieval man is much farther back down the road in his development than us and he is therefore more prone to passion—'excitement, happiness and joy, but also anger and cruelty'. Medieval man is a man of extremes; his propensity for vengeance a sign of his innate barbarity. In France, the Burgundian-Armagnac wars of the early fifteenth century were characterized by an 'endless train of hostility and vengeance'.⁶ The implications for periodization are clear. The advance of civilization is to be associated with the period that follows, a period we now call the early modern, during which the self undergoes a transformation with the dissemination of Renaissance concepts of virtue and the more systematic inculcation of Christian moral principles, as a result of the Protestant and Catholic Reformations.

In the light of the horrors of the First World War, Huizinga subsequently modified his views, rejecting Freud's biological reductionism, and underlining the role of ritual, and particularly chivalry, in limiting violence. The concept of medieval man as innately barbaric was less influential among constitutional historians who had always had a high regard for the role of law in regulating behaviour, or those who studied politics and viewed aristocratic violence, in particular, in terms of limited and self-interested political motives; and these traditional pillars of the historical discipline were lent support by the emerging discipline of anthropology, when it found primitive societies that had developed social mechanisms for the control of violence, or where self-control and propriety were highly prized. The problem of associating instincts with nature and the control of them with culture were made manifest by the barbarity of the twentieth century and by the descent of Germany, widely assumed (by intellectuals) as the most civilized nation in the world, into barbarism. Terms like 'culture' and 'civilization' were exposed as problematic categories which conceal a will to knowledge. Recent incidents of ethnic cleansing and the recrudescence of religious violence have forced a reconsideration of the facile opposition between civilization and barbarity.

Germany's divergence from the perceived European norm was the starting point for Norbert Elias's influential thesis on the civilizing process.⁷ Elias also saw violence as a product of human nature, but he distinguished the individual *habitus*, the emotional and behavioural disposition specific to a particular person, from the social *habitus*, referring to the customs and conventions shared by members of a community, and he inverts the Freudian approach by showing that the psyche is moulded by society and history. Each phase of human social organization produces codes of behaviour and gradually social constraint is internalized into self-constraint. Refined manners predicated on sensitivity to others translated into greater vigilance of the self, one's emotions and impulses. Elias argued that

⁶ Quoted in M. Vale, 'Aristocratic violence: trial by battle in the later middle ages', in R. Kaeuper (ed.) *Violence in Medieval Society* (Woodbridge: Boydell, 2000).

⁷ N. Elias, *The Civilizing Process*, trans. E. Jephcott, 2 vols. (Oxford: Blackwell, 1994).

the key stage in the civilizing process took place in the sixteenth and seventeenth centuries with the transformation of the medieval knight into the courtier, the so-called 'courtization' of the warrior nobility. Repression of aggressive instincts is integral to the civilizing process and it is the princely court which acts as a model for society through its ability to impose rigid standards of behaviour on the aristocracy, creating the conditions for civil society. In Elias's schema France is allocated a privileged role. She was the model for the rest of Europe and Louis XIV's Versailles, ordered by its baroque rituals and fastidious manners, the archetypal academy of social and self-discipline. It was in France that civility first began to take on the connotations that the term civilization enjoyed during the Enlightenment, denoting an ongoing historical process from barbarism towards a state of perfection through education and refinement.

Part of the allure of Elias's model as a tool for historical analysis is that it is congruent with traditional models of state formation. Thus in the civilizing process the propensity of people to abstain from aggressiveness increased in conjunction with the state's monopolization of violence. In France, in particular, the history of the state has been dogged by teleological assumptions, in which the origins of the modern state are identified with the formation of the French nation under the aegis of kings. In its worst manifestation this has led to a sort of scholarly patriotism. Jacques le Goff tells us that 'the political history of France is first of all the origin and rise of two entities, the state and the nation'; that 'the originality of France in the sphere of political history consists in the priority of the state to the nation'.⁸ Forms of thought and action inimical to the rise of the state have no place in the paradigm except as negative factors. Thus violence is an impediment to progress, rather than a category of analysis, something that has to be tamed, overcome, or consigned to the 'other'.⁹ Elias's ideas have not stimulated historians to rethink the traditional categories of political history, but rather helped put old wine in new bottles.¹⁰ Thus the association of *politesse* with politics has been grafted on to the traditional and erroneous assumption that monarchs and their nobles are in binary opposition. Robert Muchembled would have us believe that 'the emergence of court *politesse*, followed by the spread of civility to the urban social elite, is the subtle translation of a vast political edifice begun by the Capetians and the Valois brought to maturity under the Bourbons'.¹¹ Once again, the early modern period, and the seventeenth century in particular, is the decisive period for state formation because this was when conformity to the constraints of increased authority was imposed by the absolutist state, a project

⁸ Quoted in H. Kaminsky, 'The noble feud in the later middle ages', *Past & Present*, 177 (2002), 80.

⁹ W. Miller, 'Getting a fix on violence', in *Humiliation, and Other Essays on Honor, Social Discomfort and Violence* (Ithaca, NY: Cornell University Press, 1993).

¹⁰ For example O. Ranum, 'Courtesy, absolutism, and the rise of the French state, 1630–1660', *Journal of Modern History*, 52 (1980), 426–51.

¹¹ R. Muchembled, *L'Invention de l'homme moderne: culture et sensibilités en France du XV^e au XVIII^e siècle* (Paris: Fayard, 1988), p. xxi.

supported by the subjection of the faithful to the authoritarian strictures of the Counter-Reformation church.

Elias was conscious that the notion of violence as elemental and inherent to human nature, dear to thinkers from Augustine to Freud, was reductionist, and he argued that conflict and power relations were more significant in the human capacity for bloodshed. He also distinguished between different types of violence, arguing that as civilization progresses there is a shift from expressive violence, an emotionally satisfying end in itself to instrumental violence, rationally chosen as a means of securing a goal.¹² He never fleshed this out historically: he has little to say about the role of ritual, custom, law, and religion in limiting violence—phenomena which have been at the heart of recent historical and anthropological investigation. Nor does Elias distinguish sufficiently between different types of violence, and the assumption remains that violence is essentially an irrational impulse derived from rage. This does not fit with what we know about revenge, which requires strategic thinking that opens up the possibility of mediation and reconciliation.

VINDICATORY VIOLENCE: FEUDING, REVENGE, AND THE DUEL

A study of vindicatory violence that crosses the traditional medieval–early modern divide and covers the age of absolutism is important for empirical reasons alone. For while there is an enduring fascination with war and warfare, we remain largely ignorant about violence, despite the enormous role it plays in human affairs. There is more at stake however: the grand narratives of state formation and the civilizing process and the privileged role attributed to the French nobility, whether as a positive or negative factor, in these stories renders an investigation into the structure and control of elite violence imperative. Vindicatory violence is a term I adopt to encompass acts of violence, such as revenge killing and the duel, which repair an honour or injury and which are suggestive of a reciprocal relationship between the parties, such as one finds in the feud. While recognizing that there are overlaps, they are distinguished on the one hand from atomized and aimless acts of violence, domestic violence, and brawls, and on the other from state violence, particularly war, or violence against the state in the form of revolt.

The prospects for such a project do not look immediately promising. Since Louis IX's 1258 ordinance the crown had limited the nobility's right to engage in private war, single combats, and tournaments. Evidence for feuding and private war is fragmentary for the entire Middle Ages and, even though revenge seems to have been widespread, it is widely accepted that this was on the retreat at the end

¹² J. Fletcher, *Violence and Civilization: An Introduction to the Work of Norbert Elias* (Cambridge: Polity, 1997), 52.

of the fifteenth century in the face of royal repression. Howard Kaminsky has recently opened the debate by arguing for the applicability of the feud to France in the late Middle Ages, as an antidote to the teleological tendencies of French thinking about the state; he proposes that we apply the German concept of *Fehde* to France as envisioned by the distinguished German medievalist Otto Brunner.¹³ Brunner shows that behind feuds in medieval Germany there was a strong concept of legal order which enshrined a desire for peace built on the secure enjoyment of one's rights. This peace was not brought about by the absence of private war but by its legitimate use by a lord against those who violated his rights or those of his subjects. Feuding was legitimate, closely associated with justice, and regulated according to rigid rules of the game. Brunner's thesis is a powerful reminder that all historians need to rethink the pre-modern state in terms of a sociology of aristocratic power, legitimization, and interest. But, quite apart from the many critics of Brunner among German historians, and the clear proscription of private war by late medieval French kings, there is room for doubting the applicability of this model to France. One of the major problems inhibiting our understanding of the feud is the imprecision of the term 'feud' itself: the German legal term *Fehde* is not a synonym for the modern English feud, at least as it is understood by anthropologists. The German *Fehde* was a state of public enmity, but one that was remarkably restrained compared to other states and societies, where blood taking was more common. Whether this legal state of hostility or enmity constitutes a feud, a reciprocal relationship between parties of rough equivalence, is moot. In many cases the German word *Fehde* could be better translated by generic words such as dispute or war, especially in regards to conflicts between towns and nobles and between parties of vastly different social status, that are difficult to square with anthropological analysis.¹⁴

Confusion about revenge killing and the feud, in particular, has been sown by the assumption, originally proposed by Hegel, but now shown to be utterly false, that they are interminable.¹⁵ While accepting that many or most violent exchanges between feuding groups may not involve bloodshed, this study is based on the assumption that blood taking *is* integral to the process of feuding, but that not all acts of blood revenge are necessarily indicative of a feud. William Miller has

¹³ Kaminsky, 'The noble feud in the later middle ages'; O. Brunner, *Land and Lordship: Structures of Governance in Medieval Austria*, trans. H. Kaminsky and J. Van Horn Melton (Philadelphia: University of Pennsylvania Press, 1992).

¹⁴ H. Zmora, *State and Nobility in Early Modern Germany: The Knightly Feud in Franconia, 1440–1567* (Cambridge: Cambridge University Press, 1997), 14–15, alludes to the confusion. C. Reinle, *Bauernfehden: Studien zur Fehdeführung Nichtadliger in spätmittelalterlichen römisch-deutschen Reich, besonders in den bayerischen Herzogtümern* (Stuttgart: Steiner, 2003), recasts the debate in terms more familiar to non-German specialists, but only has evidence for a single case of blood revenge.

¹⁵ The classic statement of this line is J. Black-Michaud, *Feuding Societies* (Oxford: Blackwell, 1980), but see now C. Boehm, *Blood Revenge: The Anthropology of Feuding in Montenegro and Other Tribal Societies* (Lawrence: University Press of Kansas, 1984).

produced the most satisfying definition of the feud so far, one that deserves to be set out in full:

1. Feud is a hostile relationship between two groups.
2. Unlike ad hoc revenge killings, which can be an individual matter, feuding involves groups bound by ties of kinship, vicinage, clientage, service etc.
3. Unlike war, feud does not involve large mobilizations, but only occasional musterings for limited purposes. Violence is controlled and casualties are limited.
4. Feud involves collective liability. The target need not be the actual wrongdoer, nor the vengeance taker be the person most wronged.
5. A notion of exchange governs the process. A crude pattern of alternating offensive and defensive positions develops, a rhythm of riposte and parry in which each party takes its turn.
6. As a corollary to the above, people keep a score.
7. There is a correlation between the existence of feuding and an honour culture.
8. Cultural and legal norms operate to bring a temporary or permanent settlement to hostilities.¹⁶

These criteria are eminently applicable to noble relationships in France from the mid-fifteenth to the mid-seventeenth century. Objections will be raised against the application of a model derived from Saga Iceland, a backward society at the fringes of European civilization, to a sophisticated polity with a strong central authority and a highly developed legal system. Indeed France was not a feuding society nor structured like primitive societies; rather, the blood feud escalated dramatically in the sixteenth century due to contingent political circumstances that conspired to overturn mechanisms of control and mediation that had previously functioned efficiently to maintain equilibrium and social peace. Levels of violence depend to some extent on cultural values. Individualism, aggressiveness, and competition—all values associated with a warrior caste and its honour code—are likely to increase violence. On the other hand, noble violence was constrained because it was usually characterized by limited and self-interested political motives. Feuding was integral to the conduct of politics in early modern France because it was one of the key forms of competition for power, a mechanism by which the struggle for dominance was played out. Nevertheless, when kings were able to satisfy the ambitions of the social elite, feuds did not result in disorder or high levels of bloodletting.

The division between the law, feuding, and peacemaking is artificial. In feuding societies mechanisms existed which ensured that vengeance rarely evolved into endless vendettas, and feuds were not interminable because of the social and cultural pressures for peace. In the pre-modern West peace was a Christian duty and the logic of reconciliation was imposed by a combination of the judicial

¹⁶ W. Miller, *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland* (Chicago: Chicago University Press, 1990), 180–1.

system, community pressure, and ubiquitous royal letters of pardon. Historians of early modern Italy have shown how local politics was conditioned by the trajectory of the feud, which was in turn shaped not only by violent exchanges but also by the considerable social pressure for reconciliation.¹⁷ The process of state building in northern Italy was intimately bound up with the arbitration of disputes in the localities, maintaining political and social equilibrium and at the same time increasing control of the periphery. State building is not a top-down one-way process. Whereas they resented tax collectors and bureaucrats, peasants and nobles alike welcomed outsiders who could settle disputes and maintain the social equilibrium. Vendetta did not suddenly cease in early modern Italy but was increasingly mediated and manipulated from the centre.

There are those who will complain that there is no French equivalent of 'feud' and that I am imposing an anachronistic and alien term on ambivalent evidence. True, the old French word *faide* was largely confined to a few local customary laws and fell into disuse in the late Middle Ages. But the absence of a contemporary explanatory term for feuding does not preclude the existence of the phenomenon. One early medievalist has pointed to the lack of any 'specific contemporary terminology. Just as the word feud has a wide range of meanings, so too did its medieval equivalents.'¹⁸ Feuding societies as diverse as Saga Iceland and modern Montenegro had no single word to describe the state of 'being in blood'. In the sixteenth century frequently used terms such as 'querelle', 'inimitié', 'haine mortelle', and 'ennemi capitale' describe not so much subjective feelings as an objective, public relationship which often lasted for a considerable period of time; lasting decades, they meet the strict criteria established by Miller for categorizing the blood feud.¹⁹ The most commonly used term 'querelle' can equate to the modern English quarrel, but it was also used in a manner closer to our word feud, and at times this would be emphasized by talking of a 'querelle publique' or a 'querelle ancienne', or to 'vivre en querelle'. The fact that these terms are loose and have no legal meaning is liberating, for they come without the intellectual baggage of the *Fehde* with its portentous overtones for interpretations of the German 'constitution' and 'unique' historical path. I shall employ the term vendetta to describe a bloody feud or a set of multiple revenge killings.

A final objection will come from those who argue that there is no evidence for the feud after the fourteenth century. Empirical research has found the feud alive and well in Touraine in 1000, in fourteenth-century Aquitaine, and in other areas

¹⁷ O. Raggio, *Faide et parentele: lo stato genovese visto dalla Fontanabuona* (Turin: Einaudi, 1990); C. Povoio, *L'intrigo dell'onore: poter e istituzioni nella Repubblica di Venezia tra cinque e seicento* (Verona: Cierre, 1997); E. Muir, *Mad Blood Stirring: Vendetta and Factions in Friuli during the Renaissance* (Baltimore: Johns Hopkins University Press, 1993); A. Torre, 'Faide, fazioni e partiti, ovvero la ridefinizione della politica nei feudi imperiali delle Langhe tra Sei e Settecento', *Quaderni storici*, 63 (1986), 775–810.

¹⁸ P. Sawyer, 'The bloodfeud in fact and fiction', *Acta Jutlandica*, 63 (1987), 28.

¹⁹ R. Bartlett, ' "Mortal enmities": the legal aspect of hostility in the middle ages', *The T. Jones Pierce Lecture* (Aberystwyth: University of Wales Press, 1998), 12.

on the periphery of the kingdom.²⁰ Thereafter the evidence ends. Kaminsky's argument for the vitality of the feud in late medieval France falls down at this point: he provides not a shred of evidence for his argument from the fifteenth century. He is right to suggest that extensive warfare in late medieval France may conceal the feud. We might add that historians continue to pay more attention to the abundant materials for chivalry rather than to the economy of violence. A recent analysis of thousands of letters of pardon issued by the crown in the late fourteenth and fifteenth centuries has found plenty of evidence for revenge killing, but little evidence to suggest that these derived from feuds or developed into vendettas.²¹ This is a serious qualification and requires separate consideration; suffice to say here that attitudes to private war in France in the fifteenth century were profoundly shaped by experience of the Burgundian-Armagnac wars, arguably the most serious feud in late medieval Europe, which dominated the political scene in France for over forty years.

We are on firmer ground with the duel. François Billacois's magisterial history of the duel analyses the meanings it had for contemporaries, its Italian genesis, its evolution into a quintessentially French phenomenon, and its mutation in the seventeenth century, the classic age of the swashbuckling swordsman.²² The problem of interpreting the duel lies not in the evidence, which is abundant, but rather from the meanings that have been ascribed to it. Mythologizing began early, at the end of the sixteenth century, and the duel was reimagined by the Romantic movement in the nineteenth century and among film-makers in the twentieth. The most enduring aspect of this myth-making is that the duel is primarily a civilizer, canalizing and controlling violence through elaborate ritual. As it codified and ritualized violence the duel has been seen as a harbinger of individualism and modernity. In French historiography, the dominant discourse of the rise of the state lurks behind such concepts, and so for example the duel has recently been invoked as a symbolic revolt against royal authority, the death rattle of a nobility whose power was being strangled by the absolutist state.²³ Duelling is reduced thereby to another manifestation of the emasculation and domestication of the nobility during the Baroque, but this fails to recognize that duelling was only part of a wider system of vindictory violence that was changing over time. Many duels, fought over trifling incidents of honour between two individuals, were atomized and not related to the feud, but we must also recognize that duelling cannot be understood without reference to a traditional narrative of feud. Billacois realized that 'the duel in France . . . did not suppress the chain of

²⁰ C. Petit-Dutaillis, *Documents nouveaux sur les mœurs populaires et le droit de vengeance dans le Pays-Bas* (Paris: Champion, 1908); S. White, 'Feuding and peace-making in the Touraine around the year 1000', *Traditio*, 42 (1986), 195–263; M. Vale, *The Origins of the Hundred Years War: The Angevin Legacy, 1250–1340* (Oxford: Oxford University Press, 1990), 112–39.

²¹ C. Gauvard, *De grâce especial: crime, état et société en France à la fin du Moyen Âge*, 2 vols. (Paris: Publications de la Sorbonne, 1991), chap. 17.

²² F. Billacois, *Le Duel dans la société française des XVI^e–XVII^e siècles: essai de psychosociologie historique* (Paris: EHESS, 1986).

²³ Muchembled, *L'Invention de l'homme moderne*, 143–4.

vengeance and counter-vengeance'.²⁴ The duel was often an extension of collective struggles between kin groupings. Rather than marking a break with the past it reinvigorated the traditional feud.

CONTEMPORARY VIEWS OF VIOLENCE

In the late Middle Ages the legitimacy of private violence was widely accepted, even if its legality was being eroded. Pierre de Balhac's defence against charges in 1462 that he had sent his son to attack Antoine de Prie was not to deny it, but to baldly state that he would never have sent his son 'for when he wanted something done he did it in person'.²⁵ Avengers claimed divine approval. Pardon tales made use of the widely held belief that God's will was expressed in the outcome of combat: in 1467 Bernard de Montbec claimed that he had avenged his brother's death by shooting the bastard of Podanges with a crossbow with 'the permission of God'.²⁶ Private war was still conducted under the guise of royal commission. In August 1482, for example, Jean de Dinteville was given leave by Louis XI to 'avenge the outrages and displeasures that the inhabitants of Avignon had done to him' on condition that the 'counter-revenge was done outside our kingdom'. Unfortunately, he ran into problems when his men began to seize prisoners and property subject to the king of France.²⁷

The assault on these practices by theologians and legists was already well under way by the fourteenth century: the Hundred Years War made it imperative that the crown attempt to privilege the king's war over lesser quarrels by imposing the principle that hostile acts required sovereign authority. However, attempts to prohibit the right to feud were undermined by the disastrous conduct of the war with England, and the crown had no option but to secure provincial allegiance by confirming customs that enshrined the right to wage private war, most notably in Gascony.²⁸ The revival of French fortunes under Charles V brought the problem once more into focus and in the 1370s thinkers like Nicolas Oresme were reminding their audience 'of the law that forbids anyone from challenging another'.²⁹ The renewed determination to control private violence reached its apogee in 1386 when the institution of trial by combat was revived and no less than three combats were fought, one each in front of the king of France, the duke of Brittany, and the duke of Lorraine. This flurry of officially sanctioned combats is partly to be explained by princely rivalry: the combat between le Gris and Carrouges in Paris was a magnificent spectacle and entered the annals of chivalric lore. But the combats were far from being concerned with establishing the justice of a cause through blood taking. Principally, the elaborate ritual which followed the

²⁴ Billacois, *Le Duel*, 315, 397.

²⁶ AN JJ 194 fo. 150^v, Mar. 1467.

²⁸ Kaminsky, 'The noble feud in the later middle ages', 68–9.

²⁵ AN X2a 32, 26 Apr. 1462.

²⁷ AN JJ 207 fo. 137, Apr. 1483.

²⁹ Ibid. 82 n. 99.

challenge and which regulated the combat, not only displayed the sovereign power of the prince but allowed mediation to take place and minimized the chance of bloodletting. Even in the thirteenth century few challenges led to actual combat and, in the event of a fight, deaths were rare.³⁰ In Brittany, Tournemine and Beaumanoir had to wait nearly a year before fighting, and after the latter had been vanquished his life was spared. In Lorraine the combatants were not even permitted to come to blows. Only in Paris was le Gris killed and his lifeless body hanged like a common criminal.

The backlash against private violence gathered momentum in the wake of the assassination of the king's brother, Louis d'Orléans, in 1407, which led to decades of civil war. Jean Gerson, chancellor of the University of Paris, fulminated against Burgundian propaganda which drew on Aquinas and other authorities to justify the murder. He was in the forefront of attempts to establish order and peace in the name of the public good, arguing at the Council of Constance in 1415 that 'he who wages war without the prince's permission is guilty of treason'.³¹ Following the revenge killing of Jean the Fearless duke of Burgundy on the bridge at Montereau in 1419 and the descent of the polity into chaos, these arguments had ever greater force and by the mid-fifteenth century the principle that only sovereign law could make hostile acts legitimate was being slowly implanted.³² By the 1460s educated laymen like Jean de Bueil, whose chivalric treatise *Le Jouvencel* went through five editions after being printed in 1493, displayed an abhorrence for private wars, since they were not fought for justice but envy and hatred, thus imperilling salvation.³³ Bueil opposed judicial combat on the same grounds: 'for these displeasing [feats of] arms that you wished to take part in are not founded on any good quarrel, neither do they do service to God nor to men, and the envy that it displays is of no worth, for it comes of pride'.³⁴

Although the principle that the redress of wrongs was a matter for public authority emerged from the fifteenth century as the dominant discourse in regard to sovereignty, in practical terms what constituted justice and legitimate authority was open to manipulation and interpretation. Vindictory violence during the Renaissance was pregnant with moral issues. On the one hand there lay the Christian injunction to love thy neighbour. Equally powerful was the morality of retributive punishment for those who had violated social norms, and the duty to kin. The just quarrel was predicated on the maintenance of honour: in mitigation of a murder he committed in August 1526 Jean de Lestandart said that he was of 'good stock and feared being noted for his cowardice'.³⁵ In the age of print the

³⁰ M. Chabas, *Le Duel judiciaire en France (XIII^e–XVI^e)* (Paris: Jean Favard, 1978), 90.

³¹ Kaminsky, 'The noble feud in the latter middle ages', 82 n. 99, gives the wrong date. On Gerson, see B. Guenée, *Un meurtre, une société: l'assassinat du duc d'Orléans, 23 novembre 1407* (Paris: Gallimard, 1992), chap. 10.

³² M. Keen, *The Laws of War in the Late Middle Ages* (London: Routledge, 1965), 236.

³³ Jean de Bueil, *Le Jouvencel*, ed. C. Favre and L. Lecestre, 2 vols. (Paris, 1887–8), i. 123–4; ii. 20–1.

³⁴ Ibid. ii. 100.

³⁵ AN JJ 241 fo. 72, Mar. 1528.

moral dimension of vengeance, which had always inspired thinkers, poets, and dramatists, reached a larger audience through a new medium. Rabelais devoted a substantial proportion of *Gargantua* (1534) to an absurd quarrel that escalates until it engulfs the whole of Europe. Picrochole—whose name identifies him as man quick to anger—is partly a satire on the pretensions to universal monarchy of Charles V.³⁶ But Rabelais places the action at home, employing place names familiar to locals from the actual quarrel between his own family and its neighbours, the Sainte-Marthe. Both families were representatives of a new class of wealthy notables, particularly common in the Loire valley, whose fortunes had been made in administration and invested in land, and whose social pretensions led them into conflict with their neighbours as they turned themselves into country squires. Lerné, where the Picrocholine war begins, is the place where the Saint-Marthe, as lords of the manor, provoked furious opposition in Touraine at their attempts to extend fishing rights in the Loire. Antoine Rabelais, father of the author and an important legal figure in Touraine, was at the heart of the opposition, and Rabelais sometimes uses the names of people who were party to the dispute. Picrochole epitomizes the stupidity of the petty lord who will go to any length to protect his rights whatever the cost, human or financial. His ludicrously excessive war of destruction against his enemy's lands in a dispute about buns made sixteenth-century people laugh partly because they could relate his behaviour to their own experience. The Picrocholine war is in part a discourse on good lordship: Picrochole's cause is ignoble, for peasant quarrels should be beneath the dignity of the aristocrat, his revenge disproportionate, his counsel so poor that he refuses honourable reconciliation; on the other hand, Gargantua's father, Grandgousier, is a true Christian prince, fighting a just war guided by humanist principles, who understands the value of peace, who shows mercy. Rabelais injects laughter into an ancient debate that had had particular resonance during the turmoil of the fifteenth century, and marshals the new learning to underscore the illegitimacy of war between 'neighbours and old friends'; as Grandgousier puts it, 'this difference of ours is not, properly war; as Plato, in his fifth book of the *Republic*, wanted it called not war but sedition when the Greeks took up arms against one another, which, if by bad fortune, it comes to pass, he orders that we exercise all modesty.'³⁷

Renaissance thinkers too were attracted to the theme of vengeance. In the light of the Wars of Religion, Stoic thought had greater appeal and reached a position of near hegemony. In his reworking of Seneca, published in 1593, the sieur de Pressac taught that revenge was a base instinct, and therefore an attribute more proper to women and the lower orders, who were less evolved than men of valour.³⁸ A substantial pamphlet literature was built on the premiss that the duel

³⁶ M. Screech, *Rabelais* (London: Duckworth, 1979), 165.

³⁷ *Gargantua*, chap. 46. I would like to thank Paul Cohen for drawing my attention to the Picrocholine war, a subject worthy of further research.

³⁸ Sieur de Pressac, *Epistres de L. Annae Senecae, philosophe tres-excellent, traduites en françois avec le Cleandre, ou de l'honneur et de la vaillance* (Tournon, 1593), 332.

was a sign of the devil at work.³⁹ But the issue was not as simple as this. The Reformations, Protestant and Catholic, gave greater prominence to the role of divine providence in human affairs, which for many French nobles merely reinforced their sense of what was right. In his 1608 treatise on duelling Marc de la Beraudière argued that vengeance was indeed wrong, forbidden by divine law and that it should have no part in the duel, but that blood taking was legitimate if it was for 'a good and just reason'. The duel, like its medieval precursor, trial by combat, is a verifier of truth, in cases where each side claims to be right:

If a man kills my father treasonously, how am I to have retribution if I am told that there are no witnesses to prove the murder? In this instance, I am permitted to pursue the dispute both civilly and by arms, and required according to God and to man to have satisfaction: according to God because he allows that in such a holy quarrel vengeance must be done; according to men, because they will judge me of little worth and estimation if I do not have satisfaction for this murder; likewise your brother, other kinsmen and friends that you love.⁴⁰

Beraudière established the justice of revenge if it is done fairly with equal arms and without any feeling of *ressentiment*. If it precludes base anger, revenge is reasonable.

Christophe de Cheffontaines, a theologian writing during the Wars of Religion, was less concerned about the rise of the duel than 'feuds, disputes and little wars between minor lords' and he fulminated against the widespread notion 'when a murder is done by a man alone, it is a crime, but when it is done publicly, it is called a virtue'.⁴¹ This not only highlights the ancient idea that revenge was legitimate if taken in public but points to the performative nature of violence, a highly visible and symbolic staging of power and legitimacy. In oral culture it is clear that vindictory violence continued to be considered legitimate and natural. Sully recounts an episode that took place in Paris in 1605 when he stopped two men from unsheathing in the street and chastised them. Like some uncomprehending tribesmen listening to a missionary explain Christian doctrine, they were unaware of the 1602 proclamation forbidding challenges and retorted that 'duels had been customary for a long time, and that in the past many eminent persons had permitted them in France'.⁴² There continued to be many ways of legitimizing acts of private violence as the century progressed. In his 1665 conduct book for gentlemen, Jean de Caillièr warns his reader that a true gentleman must not suffer any affront: 'nature teaches us to defend our lives; reason to conserve our

³⁹ B. de Loque, *Deux traitez, l'un de la guerre l'autre du duel, au roy de navarre* (n.p. 1604); J. de la Taille, *Discours notables des duels de leur origine en France, & du malheur qui en arrive à tous* (Paris, 1607); *Avis sur la presentation de l'edit de sa maieste contre la damnable coustume des duels* (Paris, 1604); *Histoire prodigieuse du fantome cavalier solliciteur, qui s'est battu en duel, le 27 janvier 1615 pres Paris* (n.p., n.d.).

⁴⁰ M. de la Beraudière, *Le Combat de seul à seul en camp clos* (Paris, 1608), 19.

⁴¹ *Chrestienne Confutation du point d'honneur sur lequel la noblesse fonde aujourdhuy ses querelles & monomachies* (Paris, 1568), epistle.

⁴² Sully, 'Mémoires des sages et royales oeconomies d'estat', Michaud and Poujoulat, 1 ser., xv. 26.

honour.⁴³ At this time, the gentlemanly ethos was still closely identified with the profession of arms, a profession governed by the law of arms. Judges took the duties of a gentleman seriously and considered the duty to uphold the honour code as a mitigating circumstance. In 1643, for example, the investigating magistrate put it to the marquis de Bonnivet that he ambushed his enemy after their 'animosity obliged the accused in his legitimate *ressentiment* to have satisfaction by the usual means [open to] a person of his profession'.⁴⁴ This may have been a ploy by the judge to draw the accused into a confession, but his distinction between legitimate and illegitimate *ressentiment* is nevertheless indicative of a widespread belief that the gentleman was behoved to defend his honour with violence. Consequently, it was relatively easy to legitimize acts of private vengeance in terms consonant with the profession of arms. A man's political and social standing rested on his honour, and it 'could not be permitted' as René Dorléans pleaded in 1588 'to endure such affronts and challenges'.⁴⁵ In addition, the Renaissance emphasis on man's freedom and individuality, shorn of its evangelical implications, adapted well to the heroic autonomy prized in warrior societies. Thus when he was threatened with the law by the damoiselle de Bussy, in an argument in the place Maubert in Paris in 1622, Henri de Saveuse simply unsheathed, saying 'that he cared not for the justice and showing [her] his sword said that this was justice'.⁴⁶ Violence remained central to a gentleman's self-definition and the nobility's conception of itself throughout the early modern period; fighting and 'the right to violence' a fundamental instrument of social interaction.

The contemporary debate over just revenge was therefore more complex than a reading of the blandishments of moralists and royal edicts would initially suggest. While neo-stoic thinkers and theologians were agreed that the suppression of base passions was the road to virtue, they were less united about where vengeance came in the hierarchy of wickedness. For many writers it was a simple matter: vengeance, wrote Vulson in 1648, 'is the most unregulated passion in our soul'.⁴⁷ More influentially, Montaigne, argued that it was not a blind passion, like anger, and had positive attributes. As late as the 1670s it could still be argued that vengeance was acceptable if based on justice and reason rather than passion.⁴⁸ This allowed its supporters to present the duel as a form of social control in which disputes were settled according to the dictates of reason and fair play: it thus moderated anger.⁴⁹ At the end of the sixteenth century, vengeance was also associated with the psychological torments brought on by melancholia—doubt, torpor, and circumspection—the reverse of blind passion, from which Montaigne

⁴³ J. de Caillièrre, *La Fortune des gens de qualité et des gentils-hommes particuliers* (Paris, 1665), 58.

⁴⁴ AN X2b 1220, 22 Dec. 1643.

⁴⁵ AN X2a 1395, 20 Aug. 1588, plea on behalf of René Dorléans.

⁴⁶ AN X2b 1186, 10 Dec. 1624.

⁴⁷ M. de Vulson, *Le Vray Theatre d'honneur et de chevalerie*, 2 vols. (Paris, 1648), ii. 533.

⁴⁸ A. de Courtin, *Suite de la civilité françoise ou traité du point d'honneur* (Paris, 1676), 14.

⁴⁹ Brantôme, vi. 390.

was a notorious sufferer, and of which *Hamlet* is the most famous dramatic representation. Pierre le Charron, who characterized revenge as cowardly and effeminate, described its torment as a 'boiling and biting passion, and like a worm it gnaweth the hearts of those that are infected with it; it molesteth them by day, and by nights keeps them awaked'.⁵⁰ This captures the sense of the Renaissance conscience torn between the duty to God and the duty to kindred. Frenchmen recognized regional differences. Inverting modern stereotypes of hot-blooded Latins, Jean Bodin thought circumspection a southern trait:

We may therefore note the difference of crueltie betwixt the people of the North and South: for that the first are transported with a brutish violence, like beasts without reason: and the other (like unto foxes) imploy all their wits to glut themselves with revenge: and even as the bodie cannot be purged of melancholy but with great difficultie so the passions and perturbations of the mind, which grows by a settled melancholie, are not easily pacified. So as they which are possessed with this humour, are more subject unto frensie than any others, if they find not wherewithal to satisfie their affections.⁵¹

This geographical distinction between cultures of vengeance was important because it shaped elite attitudes, and judges' minds in particular, to avengers. Scipion Dupleix, for example, a magistrate from Condom in the south-west thought that 'the reason why Northerners are more given to duelling is that they are more barbarous and uncivilized'.⁵² Likewise, an official who had been in the south was flabbergasted after his transfer to Normandy in 1643: 'We think of the Provençaux as wicked and dissimulating, but I recognize every day that these peoples are shaped by the element that borders them, Provence is in this respect closed in to the South, to the West and to the North which do so little to disperse the healthy influences that come to them from the East.'⁵³

TIME, NARRATIVE, AND MEMORY

At the end of the sixteenth century, after decades of civil war, Frenchmen were much more conscious than modern historians that the blood feud was one of the defining characteristics of their age. For la Noue, the great Protestant captain, now 'One taketh amends with advantage: an other taketh cruell revenge: one procureth the killing of his enemie in treason with the shot of some Dagge or Harquebut: others doe make great assemblies resembling pettie warres: and many times one quarell breedeth fower, and twentie dye for one mans offence.'⁵⁴ This

⁵⁰ P. le Charron, *De la sagesse* (Bordeaux, 1601), 187, quoted from the 1615 English translation.

⁵¹ J. Bodin, *The six bookes of a commonweale* (London, 1606), 556.

⁵² S. Dupleix, *Les Loix militaires touchant le duel* (Paris, 1611), 87.

⁵³ R. Mousnier (ed.), *Lettres et mémoires adressés au chancelier Séguier, 1633–1649*, 2 vols. (Paris: Presses Universitaires de France, 1964), i, 522.

⁵⁴ La Nove, *The Politicke and Militarie Discourses* (London, 1587), 161; French edn. (Basle, 1587), 248.

contributed to the sense of time as cyclical rather than linear: the Middle Ages was contrasted favourably as an age of stability and uncorrupted morals. Looking back from the 1560s, the previous one hundred years looked like 'a golden century' of peace and harmony.⁵⁵ Those with more historical knowledge compared their age with the Burgundian–Armagnac Wars, which was caused by an 'abundance of quarrels' and lasted 'fifty years'.⁵⁶ But there was also widespread recognition that something new (and therefore pernicious) was happening. Human vengeance is always limited by a sense of justice and reciprocity. In contrast, the rage of the Gods is unbounded by human reason or custom; it is manifest in a berserk rage that is destructive rather than restitutive.⁵⁷ In his essay 'On Cruelty' Montaigne could find nothing to compare in ancient history to the delight in senseless killing he witnessed in the Wars of Religion. Others thought that traditional chivalric values had been undermined by the import of the Italian vendetta: 'I had it from great captains, and especially Italians, who are the premier revengers *in ogni modo* in the world, who held this maxim: that an ambush can only be paid with the same coin, and does not thereby lead to dishonour.'⁵⁸ Royal legislation too recognized that this time was out of joint and that the traditional rules of the game in the feud were not being upheld. In 1609 a memoir was drawn as a 'remedy for the great quarrels and disorders' of the time, for 'we observe that almost all quarrels are in place of or without [due] respect and [conducted] with advantage which equates to a surprise attack, or on other occasions take place suddenly or with premeditation which equates to an ambush.'⁵⁹ The elaborate rituals of the medieval battle wager had been dispensed with.

Vindictory violence has its time as well as its place. Effective retribution often required that a response be delayed—to take counsel, to mobilize support, to consider offers of peace. A delayed response was often more potent because it maintained the 'debt' that has to be repaid and kept the opposing party on the defensive as they had to live with awareness that retaliation may come at any time. Feuding can be understood as a narrative composed of a chain of such exchanges. Feuds were neither mechanical nor interminable partly because memories were malleable: events from the past could be periodically reinvented to justify discrete acts of violence or inaction. In traditional societies past actions are turned into a narrative of enmity and preserved in the consciousness by the use of songs and stories (often performed by women).⁶⁰ Hamlet has the ghost revisit him to 'whet thy almost blunted purpose'. Did French nobles remember the enmities of their fathers and grandfathers? How were events memorialized and passed through the generations?

At Easter 1627 a Norman knight, François de Raveton, seigneur de Chauvigny, was returning from hunting when his dogs began tussling with those of his neighbour, the baron de Tubœuf. This escalated into a fight between the two

⁵⁵ Cheffontaines, *Chrestienne Confutation*, 1–3.

⁵⁶ La Beraudière, *Combat*, 193.

⁵⁷ See below, Chap. 7.

⁵⁸ Brantôme, vi. 329.

⁵⁹ BN MS Fr 3583 fo. 66, 1609.

⁶⁰ G. Halsall (ed.), *Violence and Society in the Early Medieval West* (Woodbridge: Boydell, 1998), 21.

retinues, ending with the death of the baron and his valet. This was not however a banal squabble. Raveton explained that 'for more than three hundred years, there has always been coldness between the houses of Chauvigny and Tubœuf'.⁶¹ We would do well to be sceptical of such claims. Is this simply a trope, a clever ruse to give meaning to a senseless killing? The context is important: Raveton was confessing to a crime in order to receive a pardon under the terms of the privilege of Saint-Romain, an annual festival that permitted the release of a condemned murderer. The absolution provided by the privilege was unique in France and encouraged unqualified and frank confessions. His claim can be tracked back through the archives. In 1582 the two families had been summoned to the privy council regarding six criminal suits. In 1563 Jean de Raveton was beheaded *in absentia* at the behest of the Tubœuf. In 1559 a member of the Tubœuf clan was fined for an assault on Jean de Raveton.⁶² One possible source of contention was that the families shared the living of Crulay parish church.⁶³ So the feud was at least seventy years old in 1627, and François de Raveton would have known this because the dispute produced a large body of paperwork, periodically retrieved from his archive and leafed through when he was required to defend his rights against the pretensions of his neighbour. Where they did not fear the law, nobles were open about, even proud, of their enmities, although their memories rarely reached back more than one hundred years. Anne de Voré admitted in 1611 that there had been 'trouble' between his house and that of his neighbour for one hundred years; the families of Baudouin and Clinchamp had 'hated' each other for more than sixty years before a bloody duel in 1605; there had been 'enmity' between la Fosse and Beaussay for sixteen or seventeen years when the latter was murdered in 1587; two clans in Dauphiné in 1470 had had a 'certain hatred for a longtime', which amounted to seven or eight years in total.⁶⁴

Hamlet's memory of his murdered father dulls quickly, but Hamlet is unusual. Twenty-four-year-old François d'Hauteroche recalled that he was 11 when he heard that his brother had been killed by the Apchier. They were a powerful Auvergnat lineage and untouchable, but in November 1543 Hauteroche met one of their servants on the road and 'there and then the memory and record of the death of his brother came into his heart' and he had his revenge.⁶⁵ In everyday sociability the rights and wrongs of these events would have been endlessly debated. Oral tradition passed down the generations, so that even in the mid-eighteenth century the Saint-Chamans would have nothing to do with a collateral branch of the family due to events that can be traced to a duel in 1604. 'This combat', wrote the current seigneur de Saint-Chamans in 1790, 'was the

⁶¹ Floquet, ii, 466.

⁶² AD Seine-Maritime 1B 3153, 25 July 1561; 3154, 25 May 1563; *Inventaire des arrêts du conseil privé, règnes de Henri III et de Henri IV*, ed. F. Dumont (Paris: CNRS, 1969–78), no. 455.

⁶³ A. Coqueret, *Recherches sur Crulay et son ancienne paroisse* (Caen: Société d'Impression de Basse-Normandie, 1928), 41.

⁶⁴ AD Seine-Maritime G 3504, 9 May 1611; Floquet, ii, 449; AN X2a 1395, 24 Jan. 1587; JJ 196 fo. 31, 1470.

⁶⁵ AN JJ 257/3 fo. 135, June 1547.





Map 1 The Parlements of France, c.1600

origin of the civil wars and dissension which desolated our house for nearly a century and a half'.⁶⁶ He had been told as a child that the granddaughter of one of the original protagonists, living at the end of the seventeenth century, had amused herself by collecting cannon balls and shot left over from this private war.

In the sixteenth century the spread of literacy encouraged the keeping of *livres de raison*, which ranged from simple logs of births, deaths, marriages, and other significant events to more substantial journals. In the seventeenth century they became more sophisticated and reveal an interest in family history and genealogical research. In 1628, Guillaume de Leymarie produced a memoir which uncovered that in 1570 his 'grandfather and uncle had been assassinated while defending the Church and bishop of Périgueux', and that his own father and other brother were killed by Protestants in 1575, and their corpses beheaded.⁶⁷ This was only partially true: he neglected to mention that the Leymarie were responsible for their fair share of killing too.⁶⁸ From such partial history is a sense of injustice born. Perhaps the only true self-reflective account of a feud is the remarkable manuscript memoir written by Honoré de Quiqueran (1623–87) in 1657: 'these memoirs will serve henceforth to satisfy the curiosity of our descendants and to oblige them to do the same, since our fathers have neglected to shed not the smallest light on their actions.'⁶⁹ Honoré traced his ancestors to 1150, but what really interested him and what took up a large proportion of his study, was the blood feud between his ancestors and the Castellane-Laval, which began in Arles around 1540 and lasted until the end of the century. This feud produced a huge amount of documentation, but Honoré's account relies as much on a rich oral tradition because, as he tells us, a number of his ancestors were illiterate. One of the principal actors in the feud, his great-grandfather, Robert, had died as recently as 1609 aged 82. Honoré knew his great-grandfather from a portrait, and he also knew that he was illiterate, cared little for his children (except his bastards), permitting them no schooling. But Honoré was proud of his ancestor's fearsome reputation as a warrior, still remembered in his own day—a man who had tried to kill his own son for following the cause of Henri IV, 'so attached was he to this error'.

The feud was over by the time Honoré was born and he displays no enmity towards the Castellane-Laval. But he was constantly reminded of the feud in another way: he worshipped in a chapel in Saint-Martin-d'Arles built as part of reparations by the Castellane-Laval for the assassination of his ancestor, Gaucher, in 1545. Murders were commonly memorialized by epitaphs, crosses, and chapels. Funded by the killer they were a gift that, in conjunction with blood money, repaired the debt he owed and re-established equilibrium between the

⁶⁶ E. Bombal, *Notes et documents pour servir à l'histoire de la maison de Saint-Chamans* (Tulle, 1891), 23–4.

⁶⁷ A. de Froidefond, 'Mémoire pour Guillaume de Leymarie de la Roche (1628)', *Bulletin de la société historique et archéologique du Périgord*, 18 (1891), 292–7.

⁶⁸ AD Dordogne 2E 1797/7, Apr. 1571, 7 Dec. 1571, 1578.

⁶⁹ AN AB xix 3346/1. The memoir was written in honour of his brother who, before his death, had been an amateur historian and collected a vast amount of material for a projected family history.

clans. Such sacred 'trophies' acted as a reminder of peace and reconciliation. Profane objects, on the other hand, served to prolong and memorialize feelings of ill-will.⁷⁰ Following the murder of Jean de Levis-Charlus and his son in 1611 by the Gadagne, their ancestors used the rubble from the Gadagne château, which was razed on royal orders, to construct a chapel and a cross where the killings had taken place. It was still standing in 1875. And they did not stop there. In the Charlus château at Poligny the murder was depicted on frescoes, so that any visitor would have been immediately aware of the story. In this way the killings entered folklore, and the name 'Gadagne' became a popular term of abuse in the Bourbonnais.⁷¹

SOURCES AND THEIR INTERPRETATION

It is rarely possible to chart the full course of feud from a single document.⁷² The manuscript history of the Quiqueran-Castellane feud is a precious, perhaps even unique, source. To privilege one type of source over another will not get us very far, as the record of exchange and counter-exchange is always patchy. In her monumental study of thousands of late medieval letters of pardon Claude Gauvard has argued that their ubiquity ensured that 'before being totally repressed by the authorities, the dispute process had found the means to limit the feud . . . it usually stopped at the first shedding of blood and knew how to avoid counter-vengeance.'⁷³ There is an element of truth in this, but the answers we derive from the documents are always shaped by the questions we pose. Pardon tales in particular need to be used with care since they were constructed in such a way as to conceal premeditation and demonstrate that the murderer was provoked, acting in self-defence or through temporary loss of reason. Supplicants said the minimum that was necessary to get their letters registered.

Neglect of the feud in France has been in part due to the very abundance of source material for elite violence: the complexity and longevity of disputes creates enormous difficulties for the historian working in disparate and incomplete archives. The vast archives of the Parlement of Paris, an appeal court whose jurisdiction covered a third of the kingdom and had responsibility for 8–9 million people, contain enough material to occupy teams of researchers for decades. Up to now we have barely scratched the surface. Since feuds are a narrative it is imperative that we collect as many events as possible over as long a period as possible, so that they can be placed in chronological sequence, giving us an idea of the rhythm of the exchanges, the periods of escalations and quiescence, and the success and

⁷⁰ See below, p. 179.

⁷¹ O. Siméon, *Archives du château de Lérans*, 5 vols. (Toulouse: Privat, 1903–27), 501–3; L. de Ribier, *Charlus-Champagnac et ses seigneurs* (Paris: Champion, 1902), 112–13.

⁷² Sawyer, 'The blood feud in fact and fiction', 28.

⁷³ Gauvard, *De grâce especial*, ii. 779.

failure of mediation. Our task is like that of a film restorer who painstakingly reconstructs a silent movie from damaged fragments. Not only may the completed film not have a beginning or an end, it will have many frames missing. In addition, the narrative will be cut up and disjointed, told now by one side, now by the other. The task of reconstruction will require imagination and some educated guesswork.

This study rests on a number of discrete but complementary archives. In Paris there are two principal sources for the study of elite violence. The trial documents of the Parlement relating to heinous crimes, or *pièces d'instructions*, are unrivalled in their richness and contain bundles of judicial investigations, witness statements, and interrogations of the accused. However, the difficulty of the handwriting, in addition to the absence of an adequate catalogue, has ensured that they have not been used in a systematic fashion. Survival from the sixteenth century is piecemeal and in order to extend my research into the earlier period I turned to a more familiar source, the pardon tales, otherwise known as letters of remission, recorded as copies by the chancery, which have provided a mine of information for historians on numerous aspects of social history, as a well as being indicator of levels and types of crime. There are approximately 54,000 letters surviving from the late Middle Ages until the series ends in 1568. The registers from the beginning of the reign of Louis XI (1461) to the end of the run yielded over 400 pardons related to acts of elite violence. It is not often recognized that the monarchy continued to issue letters of remission until 1789, and that there are uncharted caches of them for the later period, most important of which is the several thousand letters issued by Louis XIV at his coronation in 1654. These major archives were supplemented with a variety of other Parisian court and prison records.

The records in Paris were the start of the serendipitous process of pursuing the paper trail into the provinces: local judicial records and family papers were consulted to flesh the bare bones established by the Parisian material. The vastness of the undertaking required that some leads be privileged over others. I pursued cases where there was evidence of blood taking, and concentrated my energies on a swathe of the centre and south-west—Poitou, the Marche, Angoumois, Limousin, Quercy, Périgord, and Auvergne—in departmental archives where there was good record survival. An important point of comparison was Normandy, a province that I knew well from previous research. Rouen not only had its own Parlement, but hosted the privilege of Saint-Romain, the records of which are unique in the detail and frankness with which they describe acts of criminality. The records of the Parlements of Aix and Toulouse were of secondary importance. Having established an initial database I then proceeded to establish a prosopography of the disputants, and to this end trawled all the available antiquarian literature on these families and their seigneuries. I soon became aware that the nineteenth-century antiquarians, absorbed by their own little corner of France, working in the shadows of and oblivious to the fashions of the Academy, had independently uncovered the hidden story of the feud. Concerned with local

history and events their discoveries bore little relation to what professional historians thought was the bigger picture, and so they wrote as if their discovery was an isolated survival of an arcane culture.⁷⁴ Put this antiquarian literature together as a corpus however and we establish a pattern, an archive of local feuding that supplements the manuscript sources. The final task was to input all this diverse and fragmentary material onto a database, not so much in order to quantify levels of violence, but to reconstruct the narrative of dispute, in violent exchanges or through the law courts, and the process of reconciliation.

Historical documents are rarely self-evident, and never so when we are looking at documents generated by a dispute, in which one side is always exonerated and the other always maligned. The historical method is not like peeling an onion: the historian cannot proceed to interpret documents by peeling away layers of falsehood until he discovers 'the truth'. In *Fiction in the Archives*, her influential study of pardon tales, Natalie Davis has made us aware of the ways in which the tales themselves did not recount 'true' events but were crafted into a narrative, a collaborative project between the supplicant, a notary and occasionally a lawyer, that conformed to certain basic conventions. Since mercy could only technically be granted for acts of involuntary homicide, the tale would be shaped by the requirement to show that the supplicant had acted in self-defence or had been provoked beyond reason. It would be wrong to see letters of remission as pure literary invention; rather they were an interpretation or gloss on real events that had to be told with enough verisimilitude to be believed.

While recognizing that historians need to pay attention to the hidden operation of tropes and conventions in our sources, the principle danger of analysing a historical text with the tools of the literary theorist alone is that we shall privilege the mechanics of emplotment over factual content. Facts mattered to the supplicants, and they should to the historian. In a study of vindictory violence the historian must go as far as possible to establish the veracity of the events; if we look hard enough we can place what superficially looks like an isolated document in context, and build a narrative or counter-narrative which permits us to test the veracity of an account, judging both sides of the argument. Pardons were open to challenge in court, especially if the victim was of high status and his family could afford a lawyer, where the tropes of the tale were exposed and inconsistencies revealed, forcing the supplicant to change their story to conform more faithfully to the real events, or at least to the events described by witnesses.⁷⁵ Having read thousands of letters of remission, it is also evident that the tales themselves are much more varied in style and content than Davis admits. While each letter had to adhere to certain epistolary conventions, the tales themselves defy rigid categorization. Much depended on the quality of the parties and the nature of the crime. All supplicants had to paint themselves in the best light, as defendants have done in trials

⁷⁴ The world wide web has given antiquarian research a fresh lease of life, and a resource that is searchable.

⁷⁵ See below, Chaps. 6 and 9.

throughout history, but, *pace* Davis, they did not, on the whole, tend to do this by claiming temporary loss of reason due to 'hot anger'. In acts of vindictory violence, in particular, there were objections to claiming that one had acted in a fit of passion, for such an admission would undermine the justice of one's cause. Revenge, in particular, was justified according to the dictates of reason. This explains why Robert Bougardz was content to admit in his pardon tale to blasphemy, and to calling his enemy a 'wicked hangman', 'a liar and bugger'. His response and deadly attack were reasonable and justified within the context: his enemy had inferred they were cousins—a claim to equality.⁷⁶ This insouciant frankness was at times unprompted, but when the fictive elements were exposed in court the supplicant was forced to rewrite his story, like the Thuilliers brothers who 'by forgetfulness and inadvertence' omitted in their original letters the words 'By God's wasted blood, you are mine!' and 'the wicked man is dead, we are avenged.'⁷⁷

The cultural turn which the discipline of history has taken over the last two decades has privileged the representation of the social world as a field of analysis, but the preoccupation with decoding opaque signs in texts has its perils; in peering down the microscope at the encoded text, we miss the operation on the text, of the intersection of class and politics. When representation is not related to practice, the social world that is constructed resembles a hall of mirrors that hides and conceals as much as it reveals. A good example of this pitfall for the present study is the literature on duelling. Duelling produced a plethora of tracts, pamphlets, and manuals in the early modern period. However, they tell us little about how duels were fought or combat experienced, and there is quite a lot of evidence to suggest that they mislead.⁷⁸ From its inception the duel was first and foremost a literary genre. Let us take for example, Brantôme, the greatest codifier of duelling practice, talking about the baron de Vitteaux:

never did a man go forth more bravely, nor more resolutely, nor with more assured grace, nor determinedly. He began by walking for fifty paces towards his enemy, often twirling his moustache in his hand, and at twenty paces from his enemy . . . He put his hand to his sword which he held in his hand, not that he had yet drawn it, but as he walked he shook it and made the scabbard fly through the air, a beautiful sight, which showed a cold and truly assured grace in combat, and not at all bold as I have seen many who unsheath at five paces from the enemy, or even a thousand, as I have seen several times.⁷⁹

The reality of killing was far removed from this swaggering image. In this particular case, the narrative is crucial. Brantôme makes no reference to the fact that the duel he describes was the climax to a bloody twenty-year-old vendetta between two clans. On their own literary works are poor guides to actual combat for another reason: duelling was forbidden by both Church and state and consequently there were few publications that would openly defend duelling as currently practised.

⁷⁶ AN JJ 260b fo. 93, Aug. 1550.

⁷⁸ See Chap. 6 below.

⁷⁷ AN JJ 261 fo. 167, May 1551.

⁷⁹ Brantôme, vi. 326.

Most literature on the duel was condemnatory. Nevertheless, it was tales of blood and heroic derring-do that sold books, and not pious moralizing.⁸⁰ Duelling literature much resembles the contemporary gutter press which feeds its readers a lurid diet of immorality and sleaze on the spurious grounds that it is the guardian of public morals. Thus, while Marc de Vulson in 1648 was prepared to compare duellers to cannibals, it did not prevent him from dedicating to them over 1,000 pages of immense and sometimes bloodthirsty detail, which functions more as titillation than admonishment.

Our first task must therefore be to delineate the structure of vindictory violence. Part I of this book is dedicated to the task, investigating the causes and dynamics of vindictory violence, the role of kinship and honour in the process, the nature of combat and how it was experienced, represented, and legitimized. Part II considers some of the wider social issues relating to violence, respectively the law, peacemaking, sex, and gender. Part III reinterprets the political history of the sixteenth and seventeenth centuries, not from the traditional perspective of the grand narrative of high politics, but in regard to the micro-politics of local and private dispute, challenging the assumption that elite violence was ineluctably in retreat in the face of royal repression and the rise of civility. The final chapter returns to the themes raised in this introduction and shows where we need to reconfigure models of social, political, and cultural change.

⁸⁰ For an Italian comparison: C. Donati, 'A project of 'expurgation' by the congregation of the index: treatises on duelling', in G. Fragnito (ed.), *Church, Censorship and Culture in Early Modern Italy* (Cambridge: Cambridge University Press, 2001).

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PART I

THE STRUCTURE OF
VINDICATORY VIOLENCE

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1

The Origins of Dispute: Blood and Earth

The distinction between material and symbolic or psychological factors in unravelling the genealogy of disputes in traditional societies is largely artificial. The word *crédit* applied to both reputation and financial solvency; its essence is captured by the French proverb ‘A good name is sufficient treasure’. Credit is both real and imagined. Nevertheless, clarity requires the origins of conflict to be divided into material and cultural factors. This chapter looks at kinship, land, and inheritance.

FAMILY: MARRIAGE, INHERITANCE, AND SUCCESSION

In the small world of the rural nobility families living in close proximity were more likely than not to be related by blood or by ties of fictive kinship, such as god-parentage. Some historians and anthropologists argue that proximity of kinship lessens the potential for violence. In 1603 Pierre de Brantôme calculated that he had 183 consanguineous kinsfolk and was able to mention seventy-three of their spouses. However exaggerated, his computation conforms to the conventions of canon law: for matrimonial purposes blood kinship extended to the fourth degree.¹ Feuding groups were therefore often competing groups of cousins. As the Lozi proverb says ‘He who kills me, who will it be but my kinsman; he who succours me, who will it be but my kinsman.’² Since kinship networks were so extensive the bonds of ‘effective’ kinship were inevitably forged by vicinage—Brantôme the Périgourdin courtier was able to keep up with news of his kinsmen at court, though not alas of his Savoyard relations—and common service to a lord. Feuding also contributed to the formation of ‘effective’ kinship since enmity created boundaries between kinsfolk and reinforced solidarities among subgroups.

In comparison to the attention paid to the wider kinship network there has been little scholarly interest on violence and feuding within the family. Intra-familial killing is anomalous and does not fit with traditional understandings of

¹ J.-L. Flandrin, *Families in Former Times: Kinship, Household and Sexuality*, trans R. Southern (Cambridge: Cambridge University Press, 1979), 27.

² S. Wilson, *Feuding, Conflict and Banditry in Nineteenth-Century Corsica* (Cambridge: Cambridge University Press, 1988), 129.

the feud, for vengeance is usually sought on behalf of a murdered father, son, or brother. 'It cannot be avenged in the normal way; it causes an impasse or confusion in relationships'.³ Yet intra-familial conflict is a universal human experience. Early modern thinkers, moralists, and jurists were as concerned as we are today with the problems of family breakdown and its effects on a well-ordered society. Crimes which threatened patriarchy were the most heinous: 'It is a shameful thing', wrote la Beraudière in 1608, 'when close relatives are in dispute.'⁴

Generational and sibling conflicts were common, disruptive to the cohesion of the family, and often resulted in acts of vindictory violence. Marriage in particular was fraught with dangers for the harmony of the wider kinship grouping and was a source of feuds between groups. Since marriage was the principal means of property transmission, disputes over inheritance and succession were among the commonest causes of disputes. Providing for all one's children, while at the same time maintaining the integrity of the patrimony for the eldest son, was a delicate balancing act. Children's rights might be usurped during a wardship or threatened by the arrival of step- and half-siblings, or even in some cases bastards. Inequitably apportioned dowers and unpaid dowries were all possible sources of contention.⁵ Disputes were complicated by the confusion of jurisdictions and competing law codes. Despite the intercession of a priest, the two men who married the heiresses of the Chartrené family could not come to an agreement over the division of property because of the confusion between the customary laws of Anjou and the Loudunais. As a graduate with legal experience, François de Haraleu ran rings around his opponent whose sole recourse was to arms.⁶ Tortuously slow and at times downright corrupt, the legal system rarely worked to smooth over feelings of animosity. Litigation was a way of life. Like vultures, lawyers hovered over the dismembered family body, feeding on disunity and dissension.

Discontent among younger brothers often stemmed from the widespread favouring of the eldest (*droit d'aînesse*) and the use of entail (*substitution*) to prevent the fragmentation of the patrimony. As a father neared death tension among his sons mounted. Louis and Jean de Montmorency had sworn not to discuss the contents of their father's will or solicit his favour, but as he lay dying at Écouen in 1463 the brothers began to squabble and Louis pulled a dagger, killing one of his elder brother's servants.⁷ Meetings to discuss the partition of the patrimony could be particularly tense. In 1609 the sieur de Dromesnil was shot and killed when his two brothers-in-law tried to force him to sign papers favouring them in the partition.⁸

Individuals were expected to make sacrifices for the good of the lineage. Tensions within the Quiqueran family arose in 1541 when the younger brother, Pierre, was pressured not to marry and thus divide the inheritance. He could only be persuaded to renounce his rights by the fearful prospect that 'if their house was

³ S. Wilson, *Conflict and Banditry in Nineteenth-Century Corsica*, 129–30.

⁴ La Beraudière, *Combat*, 92.

⁵ AN X2b 1198, 13 July 1632, recounts the consequences of an unpaid dowry.

⁶ AN JJ 263 fo. 393^v Apr. 1524.

⁷ AN JJ 199 fo. 242, June 1464.

⁸ Floquet, ii. 454–5.

disembodied, that of Laval would be more powerful'.⁹ Testators who tried to benefit certain children in their wills in contravention of law codes which cherished partible inheritance were storing up future trouble. One of the most vicious and protracted feuds of the sixteenth century, that between the Alègre and the Duprat, originated when Anne d'Alègre remarried on the death of her husband, Antoine Duprat, and, 'in her desire and appetite for her new husband', pledged her own substantial property to the children of her new husband to the exclusion of the nine children from her first marriage.¹⁰ Jean de Saint-Chamans's behaviour was more unforgivable and no less destructive of familial harmony. Although his elder son had saved his life in a siege and seconded him in a duel in 1612, Jean's will destituted him in favour of his younger son, Edmé, precipitating a feud between the brothers and their heirs that lasted for more than a century.¹¹

In the early sixteenth century, before the classic age of the duel, disputed inheritances were still occasions for a formal challenge of combat (*gaiges de bataille*). A Breton case from 1506 demonstrates the survival of this traditional form of dispute settlement. Françoise de Brie, a widow, made a series of accusations against her brother-in-law, Michel de Châteaugiron, principally that he had attempted to murder his brother and called her a 'whore'. Her ulterior motive was undoubtedly to prevent this 'poor cadet', as she called him, from inheriting his brother's property. She took her case to the chancellor of Brittany, in front of whom her cousin issued a challenge in her name which was accepted by Châteaugiron.¹² A more serious intra-familial feud erupted in the Auvergne following the death of Bertrand de Breuil in 1523. The eldest son, Jean, was challenged in his possession by his mother and three younger brothers who threatened 'to destroy his body and possessions'. Finally, in February 1527, his younger brother Charles gave him the lie in front of the assembled siblings, calling him a coward: 'I offer you my challenge of combat.' As he moved in for the kill his siblings tried to restrain him, throwing stones at him and pulling his hair.¹³

That inheritance was a matter for the whole kinship group was given added force by French customary law which enshrined the rights of 'lineal repurchase' (*retrait lignager*). This right, which had to be invoked within a year and a day of the alienation, extended to the lineage as a whole and did not privilege the most immediate heirs. Lineal redemption, in general, only applied to inherited property and not to subsequent additions and, with the exception of Provence, it did not apply in the south, where written law prevailed and where it was unnecessary because Roman law gave the heads of families the right to bequeath the entirety of their patrimony to a sole heir, after the deduction of lesser provisions for younger sons.¹⁴ The sorts of problems that might arise from attempts to redeem a fragmented

⁹ Comte Remacle, 'Une vendetta provençale au XVI^e siècle', *Revue de Paris*, 7 (1900) (in 2 pts.), part 1, 783-4.

¹⁰ P. de Vaissière, *Récits du 'temps des troubles', XVI^e siècle: une famille les d'Alègre* (Paris, 1914), 20.

¹¹ Bombal, *Saint-Chamans*, 23-4.

¹² AN V5 1043* 13 Jan. 1506.

¹³ AN JJ 243 fo. 75, Mar. 1527.

¹⁴ Flandrin, *Families*, 17.

patrimony are set out in the interrogation of Jacques de Piedefer by the judges of the Parlement of Paris in June 1633.¹⁵ Jacques shared the seigneuries of Venizy and Saint-Mards in Champagne with his kinsmen, including Josias de la Porte his maternal uncle. A conflict arose when Piedefer's sister sold her share, 1/28th of Venizy and 1/43rd of Saint-Marie, to la Porte which Piedefer wished to repurchase by lineal redemption. Piedefer took his case to the local *présidial* court on the grounds that as senior heir and chief landholder he had right of repurchase; he won but la Porte appealed to the Parlement of Paris. Piedefer was not only embittered by the court case; he accused la Porte of using the acquisition as a means of usurping his hunting and other feudal rights. Their enmity was underscored by confessional differences: Piedefer had abjured Protestantism fifteen years previously while the rest of his co-seigneurs remained Protestants. A Protestant temple at Saint-Mards had been authorized by the Edict of Nantes in 1598. Did Piedefer with the zeal of a convert wish to undermine Protestant worship on his hereditary lands? We do not know. What is clear is that he forced la Porte to fight a duel outside the château of Saint-Mards which the judges strongly suspected of having been rigged by the accused.

Since the legal process, with its multiple jurisdictions, evocations, and appeals, moved at a snail's pace, it was vital to take possession of disputed property immediately on hearing of the death of a relative. When the Morainvilliers brothers, Charles and Louis, heard of the death of their sister, being 'soldiers and not of the bar' they went immediately to the fief of Boutigny in the Île-de-France, fired shots into the air, ejected their other sister and brother-in-law, and summoned a notary to record their possession. They then fortified the property and intimidated those who resisted. However, even the patronage of the Guise family could not save them as their brother-in-law was a member of the Harlay clan, one of the most powerful Parisian legal families, and they were forced to concede in their letters of remission 'that they now remembered that the fief of Boutigny did not belong to their dead sister, being enjoyed and possessed by the said Harlay and his wife'.¹⁶ This sort of event was not uncommon in the Parisian region before the Wars of Religion. In 1523 the seigneurie of Arbouville, contested by two brothers, was garrisoned by 'fifty or sixty soldiers armed with artillery, arquebuses, light guns and other munitions of war just as though it were a frontier territory even though it was close to Paris'.¹⁷ When brothers were forced to share a property the results could be equally disastrous. For example, Gabriel du Reynier was forced to fortify a mill with an encircling wall and place light guns in it when he diverted the watercourse he shared with his elder brother François on the contested fief of Chency near Chinon. In Easter 1550 François hired thirty-five workers in Tours at 8 *sous* apiece to go at night and demolish the mill. Protecting them were eighteen to twenty armed servants and silkworkers. The workers were clearly

¹⁵ AN X2b 1199, 7 June 1633.

¹⁶ AN JJ 263/1 fo. 414, Nov. 1556.

¹⁷ AN JJ 240 fo. 202^v, Apr. 1527.

aware that a confrontation was about to take place since François admitted hitting a number of them who 'hid for fear of going to the said mill'.¹⁸ On the periphery of the kingdom such sieges were on a grander scale and part of what can only be described as private wars.¹⁹

Feuds might simmer for many years before boiling over into bloodletting. For example, the partition of the lands between Claude de Belloy and his brother in 1608 and 1625 only led to violence in 1633 when an argument between them resulted in the death of a valet. Two years later Claude was attacked by six of his brother's men and another valet was killed.²⁰ More bloody is the example of the Saignac brothers.²¹ After their father died his five sons soon fell out over the inheritance. In 1542 one of them, Antoine, was threatened by his brother, Charles, who was banished from the kingdom. Six years later Antoine was attacked by Adam, Accurse, and François, and the latter was killed. In August 1550 Antoine fought Charles in a combat with four men on each side, one of whom was killed in an exchange of crossbow fire. By the following summer Accurse had changed sides and fought Charles in a vicious contest in which a man was killed and Antoine received two halberd blows to the head; Antoine then obtained a warrant for Charles's arrest, killed an innkeeper whom he suspected of harbouring him, and burned down his hostelry and seized his brother's stronghold. He slept safely in his newly acquired property only after Adam and Charles were decapitated in Toulouse.

One consequence of high male mortality rates was the large number of widows at the mercy of sons disenchanted with their share of the succession. In 1573, for example, Suzanne de Mailloc had been granted the wardship of her son, Tanneguy le Gris, who two years later beat her up and threw her out of the baronial home at Echauffour in Lower Normandy; he then turned his attention to her dower lands and took advantage of the increasingly chaotic political situation in 1585 to steal her deeds, seals, and revenues. When she took him to court at Bayeux he arrived in town with twelve horsemen dressed in cuirasses and armed with arquebuses and pistols. They beat her up and stole her money and papers.²² Not all widows, however, were helpless in the face of male aggression. Henri de Saint-Nectaire marquis de Châteauneuf had already lost his arm in a duel when he fell out with his mother on his father's death in 1667. Marie de Hautefort had the support of her second son, Jean-Gabriel, and she remarried quickly and wisely with a magistrate, Guillaume de Maupeou, president of the Parlement of Metz. Despite Maupeou's contacts and profession the widow lost her lawsuit. Determined to prevent the sequestration of her property she installed herself in 1671 with her husband and favourite son in the château at Privas with sixty musketeers. When Henri arrived to take lawful possession he was mown down by a furious volley of fire. With the

¹⁸ AN JJ 263/1 fo. 101^v, Mar. 1556.

¹⁹ See for example the fight over the succession of Roger de Foix in the early 1530s: AN JJ 246 fo. 118, Aug. 1553.

²⁰ BN NA Fr 21708 fo. 94, 5 June 1654.

²¹ AN JJ 263/1 fo. 115^v, Mar. 1556.

²² AD Seine-Maritime 1B 3205, 19 Aug. 1586.

backing of her powerful kinsmen Marie escaped from this affair with a heavy fine and was reinstated in her lands in 1673. This was not the end of Marie's troubles with her sons. She now had to fight off a legal challenge from her third son that was accompanied by violence: one of her seigneurial officials was knifed eleven times on his orders.²³

We do not know how far Marie's remarriage poisoned the relationship with her eldest son. In a society where widowhood and remarriage were frequent the stereotype of the wicked stepfather or stepmother and of the upstart half-brother contained some measure of truth. When children were young it was expected that such relationships would be mediated by aunts and uncles.²⁴ Alexandre du Mouchel, an 'adventurer' and physician from Valognes, is presented in stereotypical fashion by his enemies. Louise de Saint-Mard was a 33-year-old grandmother when she fell under his spell. Her eldest son, Jean des Essars, was suspicious of the interloper and obtained a judgement preventing alienations from her dower, but when his mother married her lover and had a son he was forced in 1518 to relinquish land on behalf of his infant half-brother. According to Jean's version of events, Alexandre cheated his wife of her dower and left her in poverty. He complained to the church court in Rouen that Alexandre had seduced his mother 'saying that she would never return to good health if she didn't comply, and, having been cited in the church courts of this town of Rouen, had counter-alleged betrothal following consummation; and the dame de Saint-Mard was condemned [by the court] to contract a marriage with the said Alexandre by default.' Jean tried to seize back the inheritance but Mouchel was skilful; he had his stepson fined and seized the barony of Aunay in lieu of payment. Du Mouchel was now a marked man and he was cut down by the des Essars in 1537. Initially they were refused letters of grace, but an accord was finally reached with their half-brother in 1556.²⁵

Maladministration and the squandering of funds were the commonest charges laid against guardians by their wards. Once again we need to be wary of judicial documents that stereotype relationships. After all, guardians were elected by an assembly of the kinsfolk and to some extent constrained by their responsibilities to the group. Of course, the election process itself was contentious and might cleave the kinsfolk into a mutually hostile matrilineage and patrilineage.²⁶ But wards claiming mistreatment at the hands of their guardians had recourse to other members of the kindred if legal redress failed. This might have serious consequences, as for example in 1604 when Henri IV intervened directly to halt the civil and criminal proceedings started by Gaspard de Magnac against his former guardian, the seigneur de Saint-Germain de Beaupré. Magnac had sought the support of his guardian's enemy, Aumont, and the king feared that this 'suit and

²³ J. Regné, *Mélanges vivarois: contribution à l'histoire des mœurs de l'ancien pays de Vivarais*, 3 vols. (Privas: the author, 1913), ii.

²⁴ Flandrin, *Families*, 40–5.

²⁵ G. le Hardy, *Étude sur la baronnie et l'abbaye d'Aunay-sur-Odon* (Caen, 1897), 91–108.

²⁶ AN JJ 259 fo. 307, Nov. 1549.

others could in the future see the old feuds of their fathers reborn'.²⁷ Henri's judgement was prescient for on his death in 1610 Aumont attacked and damaged the château of Saint-Germain-de-Beaupré.²⁸ This case shows the wider kin grouping afforded children a measure of protection. While the Reformations of the sixteenth century undoubtedly lent greater legal and moral force to patriarchal authority, civil war meant the overturning of all forms of authority. Jacques Deslery from Sées registered letters of remission in 1595 to the effect that he and his siblings 'when very young children' attacked their guardian with a company of horsemen who fired pistols and wounded him.²⁹

Likewise, the new moral climate turned what were once vices into sins and demanded a stricter interpretation of the seventh commandment: concupiscence was no longer an easily absolved peccadillo, illegitimacy increasingly stigmatized. But as the favour displayed by Henri IV and Louis XIV to their bastards shows aristocratic practice remained largely unchanged by the more rigorous social norms demanded by the Church. Disorderly households were disruptive to social order. Royal legislation that criminalized sexual relations outside marriage was a natural response to a very real problem.³⁰ A case study that encapsulates this issue while at the same time reminding us of the many possible flashpoints in a succession—the tensions between cousins, the resourcefulness of the widow, the Janus-faced nature of the law—is the sorry tale of the Chabannes family in the seventeenth century. Christophe I marquis de Curton's barren marriage to Marie de Crussol contrasted with his fecund production of illegitimate children; his sons by his mistress Claude Julien—Gabriel, Christophe, and François—were legitimized some months before his wife's death in 1615.³¹ Two years later this head of the senior line of one of France's most illustrious houses married his 52-year-old mistress, a former woolcomber and housemaid. Christophe I died in 1636 and the union produced four more female children. Even before his death his kinsfolk had challenged the legitimacy of the new domestic arrangement and put the future inheritance in doubt, fighting unsuccessfully the registration of the letters of legitimation for his bastards. In the meantime, Claude Julien took to aristocratic life well, accumulating wealth and moving into the château of Rochefort in 1630, but as soon as Christophe I died his surviving brother, Henri, obtained a judgement (June 1637) from the Parlement of Paris evicting her and barring her daughters from inheriting. The widow (now aged 71) however was resourceful and when they tried to sequester property she restrained them with counter-suits. In May 1638 she was bought off with an indemnity of 24,000 *livres*.

Henri, now marquis de Curton, did not enjoy his triumph unmolested. He still faced criminal charges pursued by his naturalized nephews—Gabriel, Christophe,

²⁷ BN MS Fr 3461 fo. 13, 1604

²⁸ P. Ratier, *Le Château de Saint-Germain-Beaupré* (Limoges, 1862), 76–9.

²⁹ AD Seine-Maritime 1B 3243, 11 Feb. 1595.

³⁰ See below, Chap. 10.

³¹ For this and following H. de Chabannes, *Histoire de la maison de Chabannes*, 4 vols. (Dijon, 1892–9), iii.

and François—for infractions against their mother. On All Saints Day 1638 Henri and his retinue met his enemies on the road from Rochefort to Clermont. Neither side would allow the other to pass until one of the bastards' men pulled a pistol and placed it against the head of the marquis who pushed the barrel aside. In the ensuing *mêlée* Christophe de Chabannes was cut down and his brothers forced to flee.³² A measure of vengeance was exacted two months later when the brothers beat up a factotum of the marquis whose cousins had figured prominently in Christophe's death.³³

The brothers could not prevent the marquis from registering letters of pardon for the killing of Christophe in 1641, but they doggedly pursued him through the courts for offences committed against their mother. The feud continued into the 1650s and was bequeathed to their sons when the original protagonists died, François and Charles representing the senior and legitimized lines respectively. Realizing that its chances of legal redress were diminishing, Charles had no other option but to challenge François marquis de Curton to a duel. The latter's refusal was a further affront, indicating that he did not accept his cousin as a social equal. On 20 April 1659 François was shot and killed as he left mass in the Grands Augustins in Paris. Justice was unusually swift and harsh: Charles and an accomplice were arrested the following day, confronted with the corpse of the deceased, tried by the Parlement of Paris and broken on the wheel on 19 June 1659. He went to his death refusing to admit his guilt and claimed self-defence, being 'attacked by pages and lackeys who wrestled him to ground, kicked and punched him, who hit him with staffs and fired a pistol at him'.³⁴ Another source suggests he had to avenge himself because the marquis would never 'do him justice' even though he had asked him for 'succour'; he had no other option as his cousin had refused any accommodation over the succession.³⁵ Material interest may have been his prime motive, but the shame engendered by his cousin's haughty lack of recognition for his plight pushed him to consider desperate measures.

During the civil wars of the sixteenth century disputes within clans were further complicated by the issue of religion. Like a great many other noble families during the Wars of Religion the Fayolles family found its loyalties divided. After Magdelon de Fayolles was killed fighting for the Catholics at the battle of Coutras in 1587, Henri of Navarre granted his château at Neuvic to his Calvinist cadet half-brother, Bertrand. When he was in turn killed in battle in 1589 the senior line of the family enforced its claim by seizing the château in the name of the Catholic League. Bertrand's widow was reinstated by royal command in 1593 and Magdelon's descendants were unable, by foul means or fair, either to oust her or Charlotte, her daughter. It was not until 1656 that they were able to get access to the castle, expel the garrison, and imprison Charlotte. They held her captive for

³² AN X2b 1214, 5 May 1641.

³³ AN X2b 1210, 24 Jan. 1639; 24 Mar. 1641.

³⁴ AN X2b 1332, 15 May 1659.

³⁵ BN MS Fr 20276 fo. 46 cited in Chabannes, *Histoire*, iii. 148.

six months, presumably in order to force her to sign Neuvic over to them. In holy week 1657 they finally lost patience and took their revenge, beating her with bars and then burying her alive without a Christian burial.³⁶ Such an unusual and heinous crime may reflect the sense of indignation and injustice felt by the Catholic Fayolles. The entire clan and its allies was targeted by the crown—eight men and one woman were condemned to be beheaded and eleven men broken on the wheel, as well as about twenty commoners hanged—though none of its leading members was ever apprehended.

NEIGHBOURS

Litigation was a way of life for all landholders, noble and commoner alike. To many noblemen litigation and violence were different means to one end: the vanquishing of their enemy. There was not a moment in the thirteen years that survive of his journal that Gilles de Gouberville was not engaged in a lawsuit, sometimes as many as three at a time. Lawsuits had a meaning for litigants that went far beyond material interest. Honour was at stake. Gilles's dispute with his neighbour, the sieur de Gatteville over 30 *sous*' rent, which went on for years, meant endless gifts of fat capons, kid, sugar, game and venison pasties to soften the hearts of the judges of Valognes and Saint-Lô, quite apart from his ordinary legal fees. In one year (1549–50) he journeyed four times to Rouen from the Cotentin on this business. Gilles was however a good Christian and when his enemy died in 1556 he recalled their boyhood friendship and held a corner of the pall at the funeral. Four months later on 30 April he recorded in his diary his victory against Gatteville's son in the Parlement of Rouen. He shared his satisfaction with his counsel and the judges, to whom he gave a lavish dinner washed down with nine gallons of wine.³⁷

As conflicts over material resources, nobles' feuds are significantly different from the conflicts in feuding societies normally studied by historians. Peasants were in fierce competition for survival in the face of scarce resources and, although the pursuit of material interest was not incompatible with disputes over honour, in elite society where mere survival was not an issue material interest was more closely linked to issues of social status and honour. Lordship entailed not only feudal dues but conferred a panoply of rights, honours, and prerogatives commensurate with social status. Protecting, exploiting, and extending both facets of lordship simultaneously while challenging the pretensions of vassals, tenants, and neighbours was ceaseless. The sheer complexity of feudal rights and relationships was a rich source of potential conflict but possible sites of

³⁶ AD Dordogne 2E 1835/133, 22 May 1658. It is possible that Charlotte died under torture.

³⁷ K. Fedden, *Manor Life in Old France from the Journal of the Sire de Gouberville for the Years 1549–1562* (New York: Columbia University Press, 1933), 152–3.

dispute can be broken down into four categories: feudal dues and rights; land ownership; hunting rights; honours and prerogatives in parish churches. So rich is the documentation on the last two categories that they require a separate chapter (3) devoted to them; here we shall concentrate on land and the rights attached to it.

Contested material resources were the subject of numerous letters of remission. Antoine de Gouy killed his elder brother Louis in 1481 over nothing more than toll revenues. A number of men in the seneschalsy of Armagnac were killed and wounded over a stone quarry in 1498. René Bellanger killed one of his neighbour's men in a dispute over milling rights. Gilles Doré killed his brother-in-law in 1552 when he demanded his portion of dues on cattle [*bauvage*] and in lieu of the watch [*guer*] from their sharecroppers. In 1603 Hugues de Sacqueray on the scaffold confessed to killing his enemy, 'the most evil man in the world', in cold blood over disputed leases.³⁸ Duels were fought over rents: when Jean de Canny and François d'Auffray could not agree to an accord over rents on the seigneurie of Sommette and when voices were raised Jean suggested they retire outside and 'fight as men of worth [and] gentlemen are obliged'. Beaten up by his neighbour when collecting dues in the village of Fayolle in 1639 Martial de la Mesnerie took his revenge two years later.³⁹ Disputes over animals were often the result of more deep-seated animosities. François Desroches was accused of ordering his grandson to kill his nephew after a pig had eaten some of his grain, but animating this banal argument lay years of 'great civil and criminal lawsuits'.⁴⁰ Likewise, the disputed chickens which led to the death of Louis de Cheylard were a manifestation of the problems caused by rival factions of the same family contesting the château of Meyrac who lived uneasily in close proximity to each other on separate floors of the château.⁴¹

A more common site of conflict was exploitation of water resources. Building ponds and watermills required the diverting of water courses which could have detrimental effects on established patterns of water usage. In May 1556 Jeanne de Puysegur had a canal constructed to divert fish from the small river Gabas in Gascony; her neighbours, the Muret, protested and Jeanne was soon having to protect her workers with soldiers. On 3 June the Muret brothers, Gabriel and Mathieu, were ordered by their father to demolish the works and fill in the canal. That afternoon the Puysegur with forty men armed with crossbows launched on attack on the Muret who had taken refuge in a nearby mill. They repelled it, killing one man but were finally ousted, Gabriel jumping into the water to make his escape.⁴² Gilbert Mareschal was literally out of his depth in his dispute with Eléonore de Coligny, dame de Beauregard, over fishing rights in the river Violle. Since he also disputed honours in the parish with her he did not hear mass on Sunday 22 January 1640, choosing instead to patrol the river in a boat with two men. He shot and killed one of her equerries whom he caught fishing.⁴³ But even

³⁸ AN X2b 1330, 21 Mar. 1603.

⁴⁰ AN X2b 1212, 23 June 1640.

⁴² AN JJ 263/1 fo. 322, Aug. 1556.

³⁹ AN JJ 241 fo. 379, Jan. 1529; X2b 1215, 6 June 1641.

⁴¹ AN JJ 261 fo. 313^v, Oct. 1551.

⁴³ AN X2b 1212, 10 July 1640.

those of high social status might be threatened by building work that could be construed as a direct challenge to established rights and prerogatives. An upwardly mobile man such as Hector Rousseau, king's procurator in Guyenne, displayed his wealth and links to the Parisian magisterial elite in the improvements he made to his lands in Poitou, including the sinking of two expensive ponds. His most powerful neighbour, Mathurin d'Appelvoisin, took umbrage, smashed up the works and beat the workers. In May 1458 Rousseau, despite being under royal safeguard, was burned alive in his manor house.⁴⁴

This case reminds us that material interest is not easily detached from competition over the symbols of noble status. Dovecotes were easily erected and just as easily dismantled by those making claims to a piece of land or a set of rights.⁴⁵ Grander and more symbolic was the paraphernalia of seigneurial justice. When Jean Salazar informed the Parlement of Paris of the demolition by his enemy of the 'local justice he had erected' he was undoubtedly referring to the gaol, assize court, stocks, and scaffold. A better insight of the spatial organization and physical properties of the buildings in contested seats of justice is provided by the interrogation of Pierre de Beauverger in 1600.⁴⁶ Beauverger shared the justice of the parish of Sayat with two others: the countess of Lude and the seigneur de Rochedragon, with whom he was in enmity 'over an ancient awning twenty five to thirty paces from the church where for all time the officers of the justice had held their assizes'. Rochedragon claimed that the awning belonged exclusively to him and he evicted the judges of his two co-seigneurs. Arbitration was attempted but failed. One day on leaving church Rochedragon ordered his men to pack up the awning and carry it off with them. This was too much for Beauverger. Rochedragon was lulled by assurances that a fair challenge would be issued by Beauverger's son, but he turned up with two friends and they struck him down while he was 'unaccompanied and without arms'.

No symbol of lordship was more potent than the château. In the fourteenth century the Anjony were upstart bourgeois from Aurillac and vassals of the Tournemire, but by the fifteenth century royal service had raised their credit above that of their lord and they fought to have their rights as co-seigneurs of Tournemire recognized.⁴⁷ When in 1430 Louis d'Anjony was granted the right to build a château Rigaud de Tournemire 'conceived great hatred against him', tried to prevent its construction in the Parlement of Paris and failing this interfered with the work, overturning wagons carrying building materials to the site. Any symbol of their authority was a target: the seigneurial ovens at which Anjony's peasants were required to bake their bread were smashed; when the curé of Tournemire came to read out a summons (*monitoire*) obtained by Louis calling for witnesses to

⁴⁴ P. Guérin, 'Recueil des documents dans les registres de la chancellerie de France (1456–1464)', *Archives historiques du Poitou*, 35 (1906), pp. xviii–xxv.

⁴⁵ For example: AD Seine-Maritime 1B 3210, 29 July 1587; BN MS Fr 21810 fo. 53, 30 Mar. 1611.

⁴⁶ AN X2b 1177, 3 Dec. 1600.

⁴⁷ R. Grand, *Anjony: une race—un château* (Paris: Picard, 1951).

these attacks, his enemy stormed to the altar and tore up it up in the presence of the congregation; they smashed the pews in Anjony's chapel, forcing him and his family to celebrate mass in the safety of their castle. The priests who dared attend were threatened with having their hamstrings cut and 'being tonsured without water'. The contest rumbled on for three decades as Tournemire tried to force his one-time vassal to fulfil his obligations. In November 1465 these differences came to a head when Anjony obtained another judgement from the church courts excommunicating anyone who had touched a pig that had been stolen from him. Tournemire objected to any wording in the document that challenged his supremacy as lord in the parish. Anjony suspected that his enemy was aiding and abetting his peasants. He was expecting trouble on Sunday 11 November because he sent his chief official Simon Durban to deliver the judgement to the vicar accompanied by a number of archers. When he entered the church Rigaud de Tournemire's bastard son was already in place with a large band of men dotted around among the congregation. He handed over the writ to the vicar 'requesting the excommunication and admonishment of those who had stolen the pig without mentioning or reading the titles of the said Anjony'. As soon as he had spoken the bastard de Tournemire replied: 'if the base skinner of Aurillac entitles and names himself seigneur of Tournemire then he would kill him and it would cost him his life.' Durban: 'You lying son of a whore! My master is not a base skinner and will call himself seigneur of Tournemire whatever you think.' The priest was saying mass as the two sides drew their swords and came to blows. The congregation fled. In the fight Durban and one of his men were wounded, the bastard was killed.⁴⁸ The Tournemire had their revenge in 1469 when Durban was cut down by three men as he returned from the seigneurial assizes. Such serious disputes should have been arbitrated by a local magnate or the provincial governor. Naturally, this was more difficult in times of political fragmentation. The duc de Bourbon seems to have prevented bloodshed in the decades before 1465, but in that year he and the other princes tried to topple Louis XI. In Auvergne civil war made violent solutions to banal disputes more likely.⁴⁹

LAND AND PROPERTY

Despite the festivals associated with rogation day, in early modern France boundaries of land tenure seemed to have lacked the sacred associations they had elsewhere.⁵⁰ The tearing down of dry stone walls, the pulling up of hedges, and the filling in

⁴⁸ AN JJ 202 fo. 15, Dec. 1465.

⁴⁹ During the Frondes Gilbert de Rivoire disabled a dovecote near the entrance to the seigneur de Chalmazel's castle and blocked up the seigneurial ovens where peasants were constrained to bake their bread. The ensuing lawsuit led to violence and when royal officers came to arrest him in 1656 he had them defenestrated. He was condemned *in absentia* and his château razed by order of the 1665 Great Assizes: Chabannes, *Histoire*, iii. 211; AN U 749, fo. 435, 23 Nov. 1665. He was rehabilitated in 1682.

⁵⁰ Wilson, *Feuding and Banditry*, 65–6.

of ditches was a mundane feature of peasant provocation and in the case of the invasion of fields by stray animals a potential threat to family survival, but with the exception of water and hunting rights, boundaries rarely appear in the documents as a principal cause of friction between nobles. When the Ravalet burnt two of their neighbours farmhouses one suspects that more lay behind their response than a stray ass grazing on their fields.⁵¹ This is not to say that nobles were any less sensitive to the meanings of place and the symbolic importance of boundaries; rather trespass was provocative only for those already in enmity. Aimet Hureau argued that a simple boundary dispute was the cause of his brother-in-law's death. They had engaged 'two expert yeomen to uncover the ancient limits and markers' between their properties. According to Hureau, although the difference between the old and new reckoning was only half a foot, his brother-in-law's refusal of an accord and threat of the law resulted in a duel.⁵² Hureau foregrounded this episode as indication of his brother-in-law's irascibility; his anger, more likely, was the climax to a convoluted inheritance dispute.

Land had deep emotional significance for noble lineages, illustrated by the practice of dropping one's patronymic name in favour of one's toponymic, and property ownership and the lawsuits it engendered were a much more common source of conflict than boundaries *per se*. However where disputing parties lived in such close proximity to one another, the creation of artificial boundaries could make life difficult for the entire community. Jean de More refused to pay his cousin the 'dues and rights due by him as his vassal for a part of their inheritance and . . . had commanded after mass in the parish church that the tenants and vassals of [his cousin] Jacques could no longer pass through the lands that he claimed as his in order to get to Jacques' mill.' Neither man could however avoid the village tavern and Jean was killed following an argument.⁵³ Nobles might also be dragged into boundary disputes between their peasants and those of another lord: 'for the last fifteen or sixteen years several disputes and quarrels over the boundaries of the lands of Pratz and Thalignan, which are half a league apart, and over their domain and pasture, have stirred between the habitants and likewise between the seigneurs of the said places . . . for each wanted to protect and preserve his subjects from damage and destruction.'⁵⁴ Intimidating an opponent and his peasants was a means of protecting space. In the county of Laval, for example, curé Jean Beaumanoir wanted 'to chase [Aymar le Roy] out of the parish of Cropte wishing . . . alone to rule over the countryside and hold all others in his subjection', and so he summoned his three cousins who 'intimidated and threatened the people in the name of the curé to show who was the more grand and lordly and to make them afraid'.⁵⁵ When tenants or soldiers were mobilized to seize or protect a piece of land damage to crops or boundaries was inevitable and aggravated the

⁵¹ L. de Pontaumont, 'Les Olim du château de Tourlaville', *Mémoires de la société impériale de Cherbourg* (1861), 45.

⁵³ AN X2b 106, 25 Jan. 1580.

⁵⁵ AN JJ 257/2 fo. 76^v, June 1546.

⁵² AN JJ 264 fo. 208, June 1566.

⁵⁴ AN JJ 222 fo. 21^v, June 1491.

situation.⁵⁶ The men whom curé Thomas de Sarcilly employed to protect his sheaves of corn from the Courcy 'were notorious eaters of [their] sheep'.⁵⁷ A more detailed insight into private wars between neighbours is provided by Jean Limousin who convoked his men in the village of Des Fargettes near Albi in August 1483 to collect his rents 'with grand array saying to the inhabitants many words . . . that his pursuit of the property at d'Arthès had cost him 3 or 4,000 *écus* and the lives of several men, and it would cost the lives of more and as many as it was necessary until he recovered Des Fargettes . . . and that his opponents might keep men and companions behind high walls but that [he] had companions here, wishing that they and the people of Des Fargettes would cut to pieces Louis de Monastier, Olivier de Bar, Antoine Paris *écuyers*, and their servants.'⁵⁸ In the seventeenth century contested property still caused duels, such as that fought over a barn in 1636.⁵⁹ Strains between neighbours were no less fractious over assets like rents, dues, and debts and litigants might find themselves forced by the courts to share the emoluments with an enemy pending a definitive judgement.⁶⁰

Harvest time was a particularly fraught period on contentious land. In 1460 the Gallars brothers from Périgord seized the corn harvest of a yeoman working their land without their consent. A battle ensued when the d'Abzac family turned up to reclaim what was rightfully theirs, provoking a feud that ended with the death of Aimar d'Abzac in 1466.⁶¹ Jacques de Montjardin gathered thirty to forty peasants and soldiers to protect his harvest at Festes south of Carcassonne in 1536 and stored it in the parish church, which was then attacked by his neighbour who was killed in the fight.⁶² These numbers were not exceptional.⁶³ In 1644 the seigneur de la Motte Hautefort raised over 1,000 men to bring in the harvest at Druzac safely.⁶⁴ And well into the seventeenth century nobles were killing each other at harvest time. One of the best-documented cases is the dispute between César-Louis de Beauxoncles and his half-brothers, Jacques and Jean-Baptiste Perriers, over the lands which surrounded the château of Bouchet in the Vendômois. Beauxoncles obtained orders of the Parlement of Paris and the privy council in June 1636 permitting him to exploit his rights. When the provost of La Flèche and two sergeants went with twelve farm labourers and twenty carts to oversee the cutting of hay in the meadow around Bouchet, however, Beauxoncles went along with a hundred armed men. The Perriers, alarmed at this gathering, fired arquebuses and cannon at them from the château. On the evening of 8 July Beauxoncles occupied the farm called Petit Bouchet with the intention of harvesting its corn in the morning, but in effect inviting an assault from the château, which duly came leaving at least two men dead.⁶⁵

⁵⁶ AN JJ 243 fo. 11, Mar. 1526.

⁵⁸ AN JJ 210 fo. 154^r, Mar. 1484.

⁶⁰ For example: AN JJ 229, May 1498; 195 fo. 239, May 1474; X2b 1215, 6 June 1641.

⁶¹ AN JJ 201 fo. 7^v, Dec. 1466; 209 fo. 98, 19 Apr. 1480.

⁶² AN JJ 261 fo. 146, June 1551.

⁶⁴ Y.-M. Bercé, 'La Noblesse rurale du Sud-Ouest de la France sous Louis XIII', *Annales du Midi*, 76 (1964), 45.

⁵⁷ AN JJ 233 fo. 51, May 1499.

⁵⁹ AN X2b 1205, 23 Sept. 1636.

⁶³ AN JJ 264 fo. 83, Feb. 1566.

⁶⁵ AN X2b 1209, 9 Sept. 1638.

PRELATES, BENEFICES, AND TITHES

In 1484 the bishopric of Pamiers had to be placed under royal administration because of the 'illegal assemblies, carrying of arms, assaults, aggressions, incursions, pillaging, beatings, murders, mutilations, homicides and other great evils, uses of force, garrisoning, evil-doings, abuses and seizures done, committed, and perpetrated' by its rival claimants.⁶⁶ Violent confrontations between rivals to benefices was a serious threat to public order and a major cause of feuds between clans, particularly before 1516 when the Concordat of Bologna brought to end the chronic conflict between the king of France and the pope over ecclesiastical appointments. Competition for benefices seems to have been particularly fierce between 1484 and 1515. There was a rise in the number of disputed episcopal elections, which sometimes passed without violence (Rodez, Arras, Soissons, Vienne, Angoulême, and Comminges), sometimes not (Poitiers, Sarlat, Alès, Pamiers, Tarbes, Toulouse, and Condom).⁶⁷ Such disputes were part of wider political cleavages. The bishopric of Pamiers was a target in the highly destructive war in the 1480s between Catherine de Foix queen of Navarre, and her husband Jean d'Albret on one side, and her uncle Jean vicomte de Narbonne on the other. In his letters of remission Jean de Lordat told how the bishop of Mirepoix, a supporter of Narbonne, had seized Pamiers from the Navarrese and how in the course of its recapture Lordat had committed a number of murders. But the antagonism between Lordat and the Narbonnists went further than this; they had pillaged his property and killed his brother, throwing his corpse in a ditch; he in turn had ravaged the bishop's lands and ransomed his treasurer for 300 *écus*.⁶⁸ In 1494 Toulouse was the scene of disturbances between the retainers of Hector bastard of Bourbon and Pierre du Rosier, rivals to the archbishopric of Toulouse.⁶⁹

Monastic houses fared no better and their elections were the subject of inordinate interference by the local nobility which on occasion led to violence, such as at Corbie (1484) and Fontaines-Daniel (1485).⁷⁰ When Marguerite de Saint-Priest was deprived of the priory of Bellecombe for her 'life of ill-repute' and replaced by Catherine de Crussol, she attempted to expel the incumbent in 1460 with a force of men supported by cannon.⁷¹ A more serious outbreak of violence took place in the same year over the commandery of Celles (Auvergne). Brother Guillaume de Pons got provision pending a definitive judgement and installed himself, repulsing brother Pierre de Brezons when he attempted to serve a writ from the *bailli* of Montferrand supporting his papal letters of provision. Pons and his twenty men

⁶⁶ AD Haute-Garonne B 6 fo. 245, 1 June 1484.

⁶⁷ D. Potter, *A History of France, 1460–1560: The Emergence of a Nation State* (Basingstoke: Macmillan, 1995), 223. For Condom: AN JJ 231 fo. 32^v. ⁶⁸ AN JJ 227 fo. 12^v, Nov. 1495.

⁶⁹ AD Haute-Garonne B 9 fo. 217, 25 Jan. 1494.

⁷⁰ Potter, *A History of France*, 223; AN X2a 52, 16 Aug. 1485.

⁷¹ AN JJ 192 fo. 36^v, Jan. 1461.

eventually broke out, burning Brezons in a barn, for which he obtained letters of remission. While these were being contested by the dead man's relatives he returned to Celles, ejected the garrison placed there by Brezons's brother, Guillaume, and entered with eighty men. In spite of the letters of remission, Guillaume managed to effect an arrest on the grounds that the statutes of the knights of Saint John state that murders between knights 'must be punished corporally and most heinously without any grace, pardon or remission whatever'. But he was after reparations and not vengeance, keeping his prisoner locked up for twenty-two months while the duc de Nemours brokered a peace in which both sides dropped charges and Pons agreed to pay 2,500 *écus* in compensation.⁷²

While it may have ended disputes over episcopal and the greater abbatial appointments, the Concordat of Bologna did not put a stop to violent confrontations over the possession of lesser monastic establishments. The reason for this is underlined by the claim of the Grosparmy and their armed supporters in 1523 that 'the abbey of Val-Richer was founded and embellished by their predecessors 500 or 600 years ago'.⁷³ Musters of the supporters of opposing candidates still took place wherever elections continued to be contested. Violence was still occurring in the 1530s.⁷⁴ In remoter parts of the kingdom where royal justice was weak nobles were still able to impose their candidates by force in the seventeenth century. In 1631 brother Jean Maurevac complained to the officers of the *marechaussée* (the royal police) of Aurillac that the lackeys of the marquise de Merville had come into the chapel of the monastery of Saint-Pierre-de-Maurs, thrown him out, and ordered his tenants to pay their dues to a new incumbent, her 'confidant'.⁷⁵

Moreover, while the crown and the pope successfully established the framework for a more stable ecclesiastical polity little was done to improve the standards of the prelacy for a century. The locus of anticlericalism, which was given impetus by the Reformation, may have been the general corruption and moral laxity of the priesthood but the prelacy in particular was despised for its attachment to codes of behaviour usually reserved for the warrior nobility. François de Montpeyroux claimed in 1539 that he could not ignore a band of Rouergat 'priests living in utter dissolution daily committing public acts of violence . . . and gathering illicit assemblies with swords, bucklers and other arms, in contravention of their estate, profession and dignity [they] forced the inhabitants of La Guyolle to dance dissolutely'.⁷⁶ Paris in 1533 and 1534 was in a state of turmoil because of the contest between the evangelicals and their conservative opponents in the university, leaving the Left Bank in uproar. The worldliness that permeated the traditional church hierarchy and that it was an object of evangelical scorn was evident in June 1534 when Jean de Luxembourg, a 17-year-old student at the university, son of

⁷² AN JJ 192 fo. 62; 199 fo. 387^v, Apr. 1465; X2a 32 fo. 74, 11 May 1462.

⁷³ AN JJ 243 fo. 58, Feb. 1527.

⁷⁴ AN JJ 256 fo. 19^v, Apr. 1542; 246 fo. 55, Mar. 1531.

⁷⁵ AD Cantal, Fonds de Comblat, 30 Aug. 1631.

⁷⁶ AN JJ 253/2 fo. 78, June 1540.

the comte de Brienne and abbot of Yvoy and Larmoul was challenged to a duel by François de Clermont: 'You have said that you are more of a man of worth than I but by God's blood you have falsely lied. I am a greater man than you and of a better House.' A few days later, Luxembourg and two boat-loads of armed students crossed the Seine and marched on Clermont's house in the rue Saint-Antoine; they attacked with the cry 'Brienne, Brienne! Luxembourg, Luxembourg!'⁷⁷ This event must have caused intense debate in the city since a number of bystanders, including a servant of the English ambassador, were killed in the mêlée. The feud continued in rural Champagne where the two men were neighbours, and in February 1535 Clermont murdered one of his enemy's lackeys as he left the church of Saint-Étienne-de-Châlons.⁷⁸

As temporal lords with material interests to defend and kinsmen with blood relatives to protect, prelates were no less free from the politics of kinship than other members of the social elite; their vows were undermined by their attachment to the aristocratic honour code. Pierre Monnestay, protonotary, admitted riding around the Bourbonnais in a mail coat with a retinue of armed men in the 1550s 'for the duty he had to find the [sieur] de Parassier and have reparation for his honour'.⁷⁹ Far from acting as an example of pious virtue to their inferiors many of the worst perpetrators of violence were to be found among the higher clergy.⁸⁰ When Philippe de Montmorency abbot of Lannoy went to deal with a troublesome neighbour and petty gentleman, François du Vault, in the village of Monceaux, his concern to close a brothel in the village was less a reflection of his Counter-Reformation moral purity than a demonstration of his authority. On 31 January 1631 he and fourteen armed lackeys entered the village church, removed Vault's family pew, and set down a chair for the abbot to signify his lordship. Vault summoned his peasants and a battle ensued in which Vault's house, barn, and animals were destroyed by fire, the presbytery burned down, and the abbot severely wounded in the head.⁸¹ This was not an isolated episode during the Catholic revival. In 1626 the dean of Bayeux mustered twenty-five men to kill the seigneur de Villerville and was later himself killed by an unknown marksman.⁸² Despite the efforts of the Counter-Reformation, even at the end of the century some prelates lived more like lay nobleman than priests, preferring hunting to prayer and maintaining lackeys to intimidate and even murder their enemies.⁸³

Female religious rarely appear in the records but the unusual case of Angélique d'Estrées, abbess of Maubuisson, suggests that they were not all above violence. As one might expect from the sister of the king's mistress, her rule at Maubuisson,

⁷⁷ AN JJ 247 fo. 60, June 1534.

⁷⁸ AN JJ 249/1 fo. 22, Feb. 1536.

⁷⁹ AN JJ 263/1 fo. 178, Apr. 1556.

⁸⁰ Claude d'Anglure abbot of Mureau was a pivotal figure in his family's feud with the Chastellier before his assassination in 1541: AN JJ 256/1 fo. 98^r, Sept. 1542. The archdeacon of Mans had his nephew, the baron de Hertré, murdered: AN X2b 1181, 21 Sept. 1612.

⁸¹ AN X2b 1199, 17 Mar. 1633 and 21 May 1633.

⁸² H. de la Ferrière-Percy, *Le Journal de la comtesse de Sanzay* (Paris, 1859), 79.

⁸³ P. Salvadori, *La Chasse sous l'Ancien Régime* (Paris: Fayard, 1996), 181.

where she was appointed in 1593, was lax—a retreat for members of the court whose purposes had little to do with spiritual renewal. Angélique is purported to have been even less chaste than her sister and proud of her twelve bastard children.⁸⁴ In 1611 she importuned a number of her kinsmen to give the procurator of the *bailli* of Amiens an exemplary beating. Her brother-in-law, the comte de Sanzay, was a little overzealous and cut off the ear of the procurator's son.⁸⁵

One of the more surprising anecdotes of the Counter-Reformation derives from the fact that Mère Angélique Arnauld, perhaps the most celebrated French female religious of the seventeenth century, had begun her novitiate at Maubuisson. It was the austere pious Arnauld who was summoned to return to Maubuisson in 1618 to repeat the reforms she had carried out at Port-Royal.⁸⁶ Events at Maubuisson were an echo of the struggles over benefices in the past. Estrées had to be forcibly dragged from her convent by soldiers. In February the following year she escaped from captivity and on 10 September rode with Sanzay to Maubuisson to retake possession by force. When Mère Angélique refused to leave Estrées tore off her veil and, according to Racine, was escorted from the premises with a gun to her head. However, the struggle was unequal. The Arnauld clan was among the most significant of Parisian legal families and the next day they obtained an order of the Parlement of Paris for Estrées's rearrest, who fled before she could be detained.

The struggles for spiritual reform are commonly written by the righteous and we are reliant on their accounts for reconstructing this particular dispute. To the *dévots* this tale was exemplary, representing the triumph of Christian values over worldliness and sin. Nonetheless, in the wake of the Reformation and the Catholic revival from the 1580s public opinion demanded higher standards of its clergy and Estrées's behaviour, largely accepted at the turn of the fifteenth century, had become unacceptable a century later. Demand for a more disciplined and purer priesthood may have thrown the anomalous position of the Knights of Saint John as both knights and monks into sharper relief. Although we know little about the Order in this period, the contradiction between their commitment to a monastic Christian perfection and their pursuit as knights of worldly honour is attested by their regular appearance in intra-familial disputes and as perpetrators of violence. By the age of 23 the chevalier d'Andrieux had already committed three rapes and murders and by 30 fought seventy-two duels; his case became so notorious the place de Grève in Paris was full three days before his execution judgement on 14 July 1638. 'Public opinion had condemned him before his judges.'⁸⁷ Andrieux was an extreme example of a much wider problem.⁸⁸

⁸⁴ L. Cognet, *La Réforme de Port-Royal, 1591–1618* (Paris: Sulliver, 1950), 23.

⁸⁵ AN X2b 1181, 21 Mar. 1612; 1182 14 Mar. and 30 Apr. 1611.

⁸⁶ L. Cognet, *La Mère Angélique et Saint François de Sales, 1618–1626* (Paris: Sulliver, 1951), 15–21, 83–98.

⁸⁷ Tallement des Réaux, vii. 299; *Répertoire historique et biographique de la Gazette de France, depuis l'origine jusqu'à la Révolution, 1631–1790*, ed. Marquis Granges de Surgères, 4 vols. (Paris: H. Leclerc, 1902–6), i. 66.

⁸⁸ In the seventeenth century see for example: AN X2b 1180, 24 Nov. 1608; 1207, 6 Oct. 1637; V3 85 fo. 399, 30 Apr. 1646; BN NA Fr 21708 fo. 94, June 1654.

While violence over disputed benefices was no longer tolerated in polite circles, at the parish level the transformation would take a lot longer. Particularly intractable were temporal revenues in general and the tithe in particular. Churchmen were pitted against churchmen or, as in the case of Isabeau de Ballue, churchwomen. When she became prioress of Notre-Dame-de-Brignac in 1474 the lawsuit with the rector of the parish was long-standing. Isabeau had powerful kinsmen—her uncle, Gilbert de Chabannes, was governor of the Limousin—and when the rector sent a man to investigate illegal tithes in the parish he was killed by one of Chabannes's minions.⁸⁹ When secular lords were in conflict with neighbouring ecclesiastical establishments the tenants suffered most.⁹⁰ Monasteries were particularly vulnerable during the Wars of Religion, and not just from Protestants. Jacques de Courcelles used war as an excuse to get at his enemy Dom Louis Ogier prior of Brocottes in Normandy with whom he had a long-standing enmity over the tithe. In 1585 he lodged his troops in the presbytery, stole moveables and records, and threatened to kill Ogier.⁹¹

Clerical violence did not disappear in the seventeenth century. On the eve of the Great Assizes (*grands jours*) of Poitou in 1634 there was a punch-up in the chapterhouse between the canons of Dorat.⁹² The new religious orders could not immunize all their students against the corruption of the honour code: Jean Villemon, a 14-year-old pupil of the Jesuits in Agen, was indicted for issuing a challenge in 1634.⁹³ And Gregory Hanlon has found the canons of the cathedral of Agen were particularly over-represented in fights in the town, including the diocesan chancellor (*official*), nephew of the bishop.⁹⁴ As royal tax levels rose and competition for peasant surplus became more intense so tithes were more frequently the subject of duels and encounters between nobles and their lackeys.⁹⁵ The survival of tensions between the rural nobility and the Church is best documented in the Auvergne. In 1637 the intendant, Mesrigny, complained that 'many of the gentleman of the Auvergne make free with the tithes of their neighbours, the parish priests, and ecclesiastics'.⁹⁶ Although theoretically all tithes impropriated (i.e. transferred to lay persons) after 1179 were the property of the Church, in practice impropriation was a yearly struggle in the Haute Auvergne that often resulted in violence as nobles mustered their affinities to resist burdens they disliked.⁹⁷ The wealthier bishops continued to exercise immense political

⁸⁹ AN JJ 195 fo. 317, Oct. 1474.

⁹⁰ For example: AN X2b 1176, 4 Dec. 1586.

⁹¹ AD Seine-Maritime 1B 3209, 19 June 1587.

⁹² 'Nouvelle chronique de Pierre Robert, lieutenant-général au siège de Dorat, 1598–1645', in A. le Roux (ed.), *Chartes, chroniques and mémoires pour servir à l'histoire de la Marche et du Limousin* (1886), 295–6.

⁹³ AD Haute-Garonne BPS 1763, 15 Jan. 1640.

⁹⁴ G. Hanlon, 'Les Rituels de l'agression en Aquitaine au XVII^e siècle', *Annales ESC*, 40 (1985), 247.

⁹⁵ P. Huet, *Histoire généalogique de la maison de Ferrières-Sauvebeuf* (Abbeville: Ca Fosse, 1903), 287; AN X2b 1225, 21 Feb. 1646.

⁹⁶ M. Greenshields, *An Economy of Violence in Early Modern France: Crime and Justice in the Haute Auvergne, 1587–1664* (University Park, PA: Penn State University Press, 1994), 130.

⁹⁷ See for example the case of the seigneur de Beauverger-Montgon: AD Cantal, Fonds de Comblat, 23 Apr. 1607.

authority and were subject to the same pressures as temporal lords. Henri de Cauchon, bishop of Le Puy-en-Velay from 1643 and a lifelong disciple of François de Sales closely associated with Parisian *dévot* circles, hardly fits the image of the worldly ecclesiastical aristocrat, but in 1649 he clashed with the powerful Polignac clan, de facto hereditary governors of Le Puy. This dispute nearly erupted into open civil war and was only resolved in 1661 when the prince de Conti imposed a peace settlement facilitated by Maupas's removal to the far-away diocese of Évreux.⁹⁸

⁹⁸ Y. Baudouin, *Journal sur les grands jours de Languedoc, 1666–1667*, ed. P. le Blanc (Paris, 1869), 45; J. Bergin, *The Making of the French Episcopate, 1589–1661* (New Haven: Yale University Press, 1996), 668.

2

The Origins of Dispute: Status and Honour

Honour is not simply a moral code regulating conduct, like magic or Christianity, it is a world view. William Miller puts it succinctly: 'Honour permeated every level of consciousness: how you thought about yourself and others, how you held your body, the expectations you could reasonably have and the demands you could make on others . . . It was your very being. For in an honour-based culture there is no self-respect independent of the respect of others.'¹ It is a commonplace that honour and shame are gendered categories. Since physical courage and unwillingness to accept humiliation are essential to male honour, masculinity is closely associated with the right to violence.

Status in the group was the measure of one's honour. Reputation was conferred by no authority other than 'common opinion' as Louis Chabans put it in 1615.² Honour was thus public property, measured and conferred by one's peers. It was a deadly serious game, since you were in competition with your peers for honour and status was achieved at the expense of others: 'the shortest route to honour was thus to take someone else's, and this meant that honourable people had to be ever-vigilant against affronts or challenges to their honour, because challenged they would be.'³ Gentlemen were obliged to act honourably at all times commensurate with their status and to avoid the shame of losing face. As the comte de la Rochefoucauld put it in 1537, 'better that [I] die than endure an affront and have my honour sullied'.⁴

Honour in the pre-industrial West was however also determined by birth.⁵ The conflict between honour derived from virtue and honour derived from antecedence was a major theme of early modern literature and reflects wider socio-economic trends as social mobility and economic differentiation transformed the social elite. Enterprise threatened the complacent. In the third quarter of the sixteenth century Gilles de Voré invested the profits of court office into buying the *prévôté* of Boursay and leasing its demesne from the duchess of Longueville. But when from 1596 he began styling himself seigneur de Boursay and claiming

¹ Miller, *Humiliation*, 116.

² L. de Chabans, *Advis et moyens pour empescher le desordre des Duels* (Paris, 1615), 9.

³ Miller, *Humiliation*, 116–17.

⁴ AN JJ 250 fo. 41^v, Aug. 1537.

⁵ J. Pitt-Rivers, 'Honour and social status', in J. Peristiany (ed.), *Honour and Shame: The Values of a Mediterranean Society* (London: Weidenfeld & Nicolson, 1965), 23.

hunting rights as a fiefholder his neighbours, the Allera family, grew alarmed at what it saw as an attack on its social position.⁶ Since economic ideas were rooted in the concept of limited good, someone's fortune was another's misfortune: 'The comparison of oneself with others of necessity meant invidious comparisons, meant jealousy and anxiety about one's status; it meant shame and humiliation at the loss of status; or joy and even ecstasy at its recovery. It meant begrudging the advancement of others who were gaining on you, envying their position when they were ahead of you, and in delighting in any discomfiture that befell them.'⁷ The mortal sins of envy and pride were tempered by the Christian obligation to love one's neighbours, but this was made more difficult by economic expansion from the end of the fifteenth century. Disparities between noble incomes grew. Wealthy commoners purchased offices, titles, lands, and made marriages that propelled them up the social ladder. They lived nobly and aspired to be recognized by their noble peers as equal men of worth. Contemporary moralists, Protestant and Catholic alike, saw ambition and pride as a major cause of feuds. Social mobility engendered envy and anxieties about the loss of status and was thus disruptive to the social order; it was particularly divisive in the first half of the seventeenth century.

HONOUR AS PUBLIC PROPERTY

Our documents reverberate with these themes since they stereotype behaviour, as the actors represented themselves as men of worth and repute defending their name against challenges that impugned their honour. 'Everyone', writes Gregory Hanlon, 'imagined himself an actor in the local agora, trying to play his role in such a way as to appear a little more important than his social status permitted. One had to hold one's head high and pronounce *bravades*, in order to prove that one was not without importance.'⁸ At the most basic level this might result in a claim that your lineage was greater than your opponent's. The origins of the Alègre-Duprat have already been investigated. But its roots were more deep-seated than a vulgar inheritance dispute; it was surely related in the rapid ascent of both families from Auvergnat obscurity into the glare of high political drama. When Christophe d'Alègre went about Paris shouting that 'his lineage (*race*) was more worthy than theirs' he was intent on provoking violence.⁹ An affront once felt had to be satisfied and contemporaries legitimized this in words that stressed the limited and defensive nature of their retaliation: after being wounded in a fight, Pierre de Monnestay told his men who gathered to take revenge that 'it was his duty to find the said Parassier to have *reparation* for his honour'; Gilles Grimault regarded the 1567 warrant for his arrest as an act of aggression because 'above all

⁶ R. de Saint-Venant, *Dictionnaire topographique, historique, biographique et héraldique du Vendômois*, 4 vols. (Blois: Migault 1912–17), i. 468.

⁷ Miller, *Humiliation*, 125.

⁸ Hanlon, 'Les Rituels de l'agression', 244.

⁹ Vaissière, *Les d'Alègre*, 29.

things his own first cousin should *defend* his honour'; Jean de Fresnay was determined to *recover* his honour when Pierre de Troussebois suggested he was not a gentleman.¹⁰ In each of these cases reparation meant killing, and in the first two in cold blood. The French word for affront, *injure*, captures the sense of aggression and violence inherent in the impugning of honour: to take blood was an escalation of the exchange but it was not disproportionate to the initial offence.

The complexity of exchange is demonstrated by the letters of remission of Pierre de Lubersac. In 1546 Lubersac and Maixent Bertrand quarrelled in front of other gentlemen: Lubersac slapped Bertrand after he gave him the lie. However those present patched up the quarrel. Three weeks later Lubersac heard in Angoulême that Bertrand was saying that the slap had been returned with a punch, inferring that Lubersac was in debit and his challenge unreturned, 'striving to sully the honour of the said Lubersac which he esteemed more than all the goods in the world and his own life . . . resolving to make reparation as gentleman must do.' These letters however make clear that there was another side to the tale. When Lubersac asked him twice whether he would admit maligning him and whether they could remain friends Bertrand would give no certain response, merely replying 'conditionally'. Finally on being pressed Bertrand replied again, 'Conditionally: if you say that you slapped me then I punched you.' Both men had given a public version of events that saved face. When Lubersac drew his sword with the words 'I'm going to give you a good touch that'll make you think' he was defending his version of the truth.¹¹

Jean du Fresnay stressed in his letters of remission that he feared that not to act would have led him to be 'chased and thrown out of the royal gendarmerie as unworthy and cowardly'.¹² His reaction was not disproportionate since this was what was expected of a soldier and gentleman. Public opinion was the ultimate arbiter of a man's worth, his honour, and he was thus constrained to act as convention dictated. Nicholas de Moy's plea to the king in 1508 that his honour be repaired, so that 'he may be able to go around with his head held high as a gentlemen in front of everyone' was not meant metaphorically.¹³ Moy's honour had been impugned and he no longer felt able to mix in society. To be honourable was to be *sans reproche*, beyond reproach: in 1567 Antoine de Beaucaire could no longer 'for his honour . . . pretend to ignore the words and scorn of [Antoine] Desmoulins for fear of reproach'.¹⁴ Honour left unrepaired for long had deleterious political and social consequences: Martial de la Mesneraye killed his enemy in a duel in 1641 because he had 'defamed him everywhere' and in particular he had told Mesneraye's prospective mother-in-law that her daughter's suitor had received a beating that remained unpunished and that he was thus a man 'without honour'.¹⁵ Gentlemen had to guard against the written word too: Francisque de la Fosse was involved in

¹⁰ AN JJ 263/1 fo. 178, Apr. 1556; 265 fo. 166^v, July 1567; 259 fo. 12, Jan. 1549.

¹¹ AN JJ 261 fo. 131, 22 May 1551.

¹² AN JJ 259 fo. 12, Jan. 1549.

¹³ British Library, Additional MS 30542 fo. 286^v.

¹⁴ AN JJ 265 fo. 170, Aug. 1567.

¹⁵ AN X2b 1215, 6 June 1641.

the murder of Raoul de Beauce who had published a 'defamatory libel' about one of his friends; Horace de Saint-Mesmyn was driven to killing his neighbour in 1587 out of rage at the 'libellous' letters he had written to him.¹⁶

As a consequence, gentlemen were highly sensitive to anything said about them in public or to rumours about their conduct. It was one thing to say something in private behind one's back; it was another thing if this became public property. Thus when marshal Saint-André said that he had seen the seigneur de Montfort flee a battle, initially his 'words had been said to the seigneur de Mauleon as a friend says to friend when they are sleeping side by side'. When his words became public he was given the lie by Montfort. The affair could only be patched up by some deft lexicology. Saint-André declared that there was no malicious intent, since he had only used the word 'flee' in the sense that 'he had seen Montfort return from a charge with his back to the enemy'. Saint-André was made publicly to say that he had not meant to say 'flee' and wished to replace it with the word 'fall back'. Since the word in question did not have the meaning attributed to it, the Constable ruled that the challenge was void and that both men's honour was restored.¹⁷

Once a slur on someone's honour became public it had to be challenged. This was doubly dangerous, for if the accused denied uttering the words attributed to him he was in effect calling his accuser, or the third party that reported him, a liar. This interplay of accusation and counter-accusation and its consequences can be followed in detail in the chambers where the heirs of Geneviève Surreau met to settle her inheritance in 1581.¹⁸ On one side of the room sat the Auber family and on the other the du Bosc. While he was addressing the assembly, Isambert du Bosc was suddenly interrupted by Guillaume Auber, who objected to any accord with the du Bosc, because of the threat made 'to smash our heads . . . and . . . other threats made in the presence of one of the most signal gentlemen of Normandy', at which Nicolas du Bosc indignantly challenged Auber to name the gentleman in question, adding that the gentleman would certainly deny it. When, after prompting, Auber mentioned the name of Adrien sieur de Bréauté another of the heirs warned him of 'the import of his words and that it was possible that he who told him would not dare to repeat it in public'. Auber replied that Bréauté had told Thomas, his eldest brother, of the threat and had gone on to counsel him 'that you can smash their heads you and your friends for you are strong enough'. Du Bosc categorically denied making any threats and promised that within two weeks they would give Auber 'contentment and satisfaction'.

Although the meeting broke up with signs of friendship and 'honest offices', a challenge had been made. Bréauté denied having uttered these words. A serious point of honour had arisen—either Thomas Auber or Bréauté was a liar. For Bréauté it was now a matter of choosing the correct response. He sent a man to the du Bosc residence to prepare a report on the meeting and Isambert pledged his support 'that

¹⁶ AN X2b 1176, 4 June 1584.

¹⁷ Bibliothèque Mazarine 2887, 9 Nov. 1551.

¹⁸ BN MS Fr 11926, fos. 57–63.

always and whenever the sieur de Bréauté wished he would go where he was commanded' and that he 'and his kin had been and will always be his friend', but he also counselled caution because there were other witnesses to the meeting and the truth would be established so that 'there would be no need for combat'. Bréauté's higher status ruled out the settling of scores by the duel that Isambert du Bosc feared and instead the matter was referred to the governor of Normandy, Jean de Moy.

On 25 February 1581 Thomas Auber wrote a letter to Bréauté: 'the counsel of my friends is that I should not commit anything to paper regarding the words with the du Bosc, but that in such a place as it pleases you and in front of such gentlemen and seigneurs that you desire I will repeat the conversation that I had with you and will not omit a single word of the truth'. Auber thus raised the stakes by proposing a public showdown to demonstrate the righteousness of his cause. Bréauté, having read the report on the incident, chose a different path; ignoring his enemy's letter, he wrote two days later to governor Moy, stressing the support he had received from his kinsmen and finishing with a warning: 'I have no wish to remove myself from my association with you although I believe that is his principal goal.'¹⁹ Signing himself 'your best cousin and affectionate friend' was no convention: at the outbreak of the Wars of Religion Moy's father, 'his uncle, had immediately begged him to accept the post of standard-bearer of his company'.²⁰ We do not know the outcome of this dispute but Auber would have done well to make his peace, for Bréauté, a leading member of the provincial elite, was the man of higher status. Although Auber had powerful connections in the Rouennais legal elite, he was in any case a troublesome neighbour and it would have been political folly for the governor to alienate so powerful a kinsman, like Bréauté.²¹

Lest any man ignore the duty he owed his kinsman the social world of the gentleman—an oral culture largely lost to us—would have provided many reminders in conversation. Chrétien de Gommer was only 14 when his father was savagely murdered before his eyes and even though many years passed, 'since he was usually in good company and with great seigneurs they put the death of his father in front of his eyes'.²² Public opinion was the fickle and demanding audience to which the politics of honour played, but like any audience it was open to manipulation. Though duels had been outlawed by royal edict in 1609, the chevalier de Guise's killing in 1613 of the baron de Luz, one of the murderers of his father, was lauded in poetry and publicized in cheap print:

Pushed by a lively *ressentiment*
Which valiantly moved him
To the point of just anger
Against he who bragged
Of having been able (dear vanity)
To prevent the death of his father.

¹⁹ Ibid., fo. 57^v.

²¹ For more on Auber see below, p. 70.

²⁰ BN Dossiers Bleus 130.

²² AD Seine-Maritime G 3503, 17 May 1583.

When, two weeks later, the chevalier killed Luz's vengeful son in a combat on horseback, the visit of all the court gallants to his lodgings and the composition of celebratory verses was publicized by the *Mercure françois*, a primitive newsletter.²³ In an oral culture, poetry was crucial to memorializing glorious deeds but it could also be used to satirize and mock. In the claustrophobic atmosphere of court sarcastic witticisms and salacious gossip spread like a brush fire out of control, leaving reputations ruined. The feud between the Gramont and la Force erupted into open war in Béarn in 1613. Two years later both found themselves at court. La Force was renowned for his courage and martial prowess and he was widely applauded for killing a bull during the royal hunt. Gramont composed a rhyme on the theme:

The marquis de la Force
Killed with his force
Colas's cow
La, la, deridera.

Colas's cow ('la grand vache à Colas') was at that time a derisive term for Huguenots, of whom la Force was one of the principal leaders. When la Force next saw Gramont, in the king's antechamber, he approached his rival: 'I hear that you are a poet. Ah! but so am I', and he repeated his poem, adding 'I've composed this in the same vein:'

From the horns of a cow
I'm going to make a hat
For Gramont here
La, la, deridera.

The gallery laughed loudly at this illusion to Gramont's well-known marital calamities and further mirth ensued as la Force mimicked a pair of (cuckold's) horns with his hands and advanced towards his enemy, raising his nose in the air. Unamused, Gramont had to be restrained by the royal guard.²⁴

HONOUR RECOGNIZED

Since honour was a publicly accorded identity constantly under threat of challenge or insult, noble culture placed great emphasis on public proofs of status or recognition, especially the exchange of courtesies between noblemen. Letters, with their elaborate formulas establishing the honour of sender and recipient, attest to this.²⁵ Nobles were particularly sensitive to the spoken word and to

²³ *Mercure*, iii. 48. Tallement de Réaux's better-known comments are more cynical but were composed much later: i. 230.

²⁴ J. de Jaurgain and R. Ritter, *La Maison de Gramont, 1040–1967*, 2 vols. (Lourdes: Les Amis du Musée Pyrénéen, 1968), ii. 390–4.

²⁵ K. Neuschel, *Word of Honor: Interpreting Noble Culture in Sixteenth Century France* (Ithaca, NY: Cornell University Press, 1989), chap. 3.

symbolic gestures that embodied status and power, such as bowing, kissing, or removing a hat. For la Beraudière writing at the beginning of the seventeenth century, all gentlemen were required to greet each other, and those who do not do so are to be taken as enemies, lacking in civility.²⁶ The smallest misplaced gesture, such as a smile out of place, could be provocative.²⁷ Flashpoints arose because the rules were open to interpretation: the baron d'Ingrade admitted that he had entered a tavern at Patry in Normandy 'too liberally' on Saint Madeleine's eve 1546, but argued that his enemy had no right to get angry since these 'public places were open to all passers-by where one maintains no formalities at all'.²⁸

Greeting was a public affirmation that the parties were in friendship, neglecting the conventions of courtesy or even avoiding someone's company was a public demonstration of enmity. This can be demonstrated by the story told by Philippe Boussault, *maître d'hôtel* of the duc de Montpensier, who in the 1540s was summoned to appear at the court of the seneschal of Limoges. He claimed that in court he did as custom and obedience dictated and removed his hat, holding it in his hand. However the judge, Bermondet, saw impudence in his habit of keeping his hat behind his back: 'place your hand otherwise, or I'll have you clapped in prison'. Wounded by these 'harsh and injurious' words, Boussault harboured his rancour for seven or eight years and avoided his enemy. In January 1551 he refused to go to the house of the seigneur de Beynac to fix the marriage of one of his kinsmen because he knew his enemy would be present for the Feast of Kings, sending his kinsman with letters of recommendation instead. Beynac summoned Boussault, saying that he could not stay away for 'so small a matter', and it seems that Beynac's authority compelled him to come. When he arrived he refused to greet Bermondet telling his host that he wanted reparation but that for the friendship of his host 'he would ask nothing'. Beynac's own position as a host was now compromised: 'if you do him any displeasure we'll make you repent of it.' Boussault retorted that he had not wished to be invited and as he stormed off Beynac's son taunted him, 'Hold on! Not so fast! Speak to me and not to my father; we'll resolve this alright.' These words were to lead to the son's murder some months later.²⁹

In order to avoid encounters on the road it was crucial to greet an oncoming party in good time to demonstrate your good faith. Christophe le Pauvre could not possibly have been an enemy of the Briou brothers because, as he told the judges of the Parlement of Paris, 'they greeted each other from quite a long way off'.³⁰ If the greeting was not timely it was deemed provocative: 'God's death, here's a knave who will not greet us', said Claude Desson in 1650 and fired off a few retaliatory shots.³¹ More provocative was to greet all members of a company and omit an individual that you wished to provoke, shaming him

²⁶ La Beraudière, *Combat*, 189.

²⁸ AN JJ 257/1 fo. 145^v, Sept. 1546.

³⁰ AN X2b 1225, 21 Feb. 1646.

²⁷ AN JJ 244 fo. 278^v, Apr. 1529.

²⁹ AN JJ 261 fo. 184^v, June 1551.

³¹ AN X2b 1232, 11 Aug. 1650.

into action.³² Another common way of provoking an opponent was to use the familiar (*tu*) form of address where, especially in the case of the men who were already in enmity, only the polite (*vous*) form was appropriate. André Guyart was at odds with Étienne de Compans over precedence in the Easter procession in the parish of Coullon; their argument escalated when Guyart used the diminutive form 'saying that he was out of his rank and *tutoyant*' his enemy. Compans responded to this impudence by hitting Guyart on the head.³³

Thus in codes of courtesy and symbolic exchange we find a contradiction that was also evident to contemporaries. While they regulated interpersonal relationships, they also gave occasion for mockery, humiliation, and violence. Protestants, like Agrippa Aubigné, were perhaps more alert to the sense that the conventions of courtesy were mere 'appearances' and lacked the true love and affection that Christians owed their neighbours. Even among his co-religionists this interiorized view of one's duty was not shared by all. From 1617 to 1620, in *Les Aventures du baron de Faeneste*, Aubigné satirized the Gascon hot-heads or *raffins* who hung around the court 'fighting over the wink of an eye, if one greeted them carelessly . . . if your cape brushed theirs, if one spat . . . within four feet of them'. In this manner the baron de Faeneste, whose 'only purpose [in life] was to appear' (*paraître*), was able to maintain thirty quarrels a year.³⁴ Thus, although codes of courtesy reinforced hierarchy and social status, the Gascon petty nobility did not feel bounded by them, transgressing them where they were able in order to demonstrate their courage and prowess and thus win worldly reputation.

SOCIAL STATUS

We do not have to accept Orest Ranum's exaggeration that rigid codes of courtesy imposed by royal ministers brought a truculent nobility to heel to concur that codes of courtesy, etiquette, and civility regulated conduct among the elite and between social classes, reinforcing hierarchy and distinction.³⁵ Honour is ineluctably linked to social status. The economic growth that made nobles more wealthy after the end of the Hundred Years War did not necessarily diminish competition among them, since the Renaissance style demanded ever greater levels of expenditure to maintain one's status. Moreover, since the right to violence, and duelling in particular, was an attribute of nobility, it was a requirement for social acceptance, even a means of social ascent as the careers and fame of low-born duellers, such as d'Artagnan and Rochefort, suggest. As Pitt-Rivers has it 'the *de facto* achievement of honour depends upon the ability to silence anyone who would dispute the title. The reputation of the dangerous man is liable to

³² AN X2b 1214, 27 Apr. 1641, interrogation of Daniel de Sabrevois; AN X2b 1176, 25 June 1585, interrogation of Pierre Deslincourt.

³³ AN X2b 1224, 28 Sept. 1645.

³⁴ A. d'Aubigné, *Les Aventures du baron de Faeneste*, 2 vols. (Paris, 1855), i. 40.

³⁵ Ranum, 'Courtesy, absolutism, and the rise of the French state'.

assure him precedence over a virtuous man.’³⁶ Old families regarded upstarts with loathing and contempt; while the latter were self-conscious about their parvenu or vulgar origins. Molière invites us to laugh at the pretensions of the upstart, but the humiliation that Monsieur Arnould unwittingly undergoes in the *Bourgeois Gentilhomme* was a real experience for old and new nobles alike, as they passed each other on the social ladder. Since the community of nobles judged the social position of the individual, whose position was open to challenge, the vain pretensions of the impostor were there to be unmasked.³⁷ Victory in a challenge sealed social dominance over one’s victim—both literally and metaphorically a nobleman had always to be looking over his shoulder at those who wished to precede him.

Among men of relatively equal status arguments over who was more ‘a man of worth’ were everyday occurrences across the whole social spectrum, as each sought to gain the smallest advantage over his rivals.³⁸ When the baron d’Engaravagues accused Jean Rigaud *chevalier* of saying that he was not ‘a man of worth’, Rigaud’s taunting reply played on the gap between his opponent’s ego and his public persona: ‘You should know and if you think so I am delighted.’ The baron drew his sword: ‘I am of worth and if you say otherwise I say you lie.’ On this occasion they were separated. Such exchanges were rarely isolated and must be seen in the context of ongoing hatreds: this dispute lasted for four or five years, punctuated by periods of peace, until Rigaud killed the baron ‘being unable to remain [in this state] without incurring perpetual shame’.³⁹ At a higher level, such sentiments and claims to precedence were the routine skirmishes of faction politics.

Moralists’ distrust of social mobility as a threat to public order is given weight by the evidence from our documents that show challenges to honour escalating into violence. Of course, social upstarts were not an invention of the Renaissance and the pretensions of the upwardly mobile had long been met by violence. The Tournemire–Anjony feud shows how protracted disputes over precedence could be. By the seventeenth century it was 200 years since the Anjony had been ennobled. They had long ago surpassed the Tournemire in status, yet still they remained the descendants of ‘vile skimmers’.

Men on the cusp of nobility were especially sensitive to challenges to their status and had to be rapid in their response if they wished to avoid humiliation. The seigneur de Vaudoré and his company were startled that René Hamelin did not know them when he challenged their right to hunt in 1634; they mocked him for acting above his station like a ‘little gentleman’. For his part, he admitted that ‘he was a gentleman living on the little he had and he was unable to see the world beyond and as such he was happy to live on his small plot and raise his family,

³⁶ Pitt-Rivers, ‘Honour and social status’, 24.

³⁷ Miller, *Humiliation*, 142–3.

³⁸ For example: BN NA Fr 7241 fo. 192, 16 Mar. 1519; AN JJ 259 fo. 299, Oct. 1549; AN X2b 1185, 20 May 1624.

³⁹ AN JJ 262 fo. 245^v, Aug. 1553. Three years before their two retinues clashed bloodily at the fair of Saint-Billy in Brittany in 1549 the protagonists had argued which was more ‘the man of worth’: AN JJ 259 fo. 15^v.

and that his ignorance of others did not bother him'. Nevertheless he was still a gentleman 'and would not suffer to be treated in this fashion' and fired his musket, killing Vaudoré.⁴⁰ Where the vastly differing status between nobles obviated a counter-challenge, the courts remained a possible source of redress. Philippe de Troismeletz gathered depositions against the marquis de Châtillon in 1637.⁴¹ Nicolas Oudinot, a lawyer's clerk, among others, swore that he heard the marquis say that the plaintiff 'was a Picard peasant and that he had come to his lands to play the cock over gentlemen [and] that he was a rogue and a knave and that he had lackeys of better lineage'. Troismeletz did not expect to see his enemy in court. Success lay in tarnishing his enemy with slander in front of the judges of the Parlement of Paris and upholding his own status. Troismeletz may also have been relying on the protection of greater men, in the same way that Antoine Thorigné assumed the quarrel of one of his tenants who had been accused by the seigneur de la Barre of being 'no more a man of worth than him': Thorigné later killed la Barre in duel.⁴²

Some noblemen were placed by their profession on the margins of gentility. Glass-making was one trade that some noblemen were allowed to practise, but it must have afforded a precarious position in the company of other nobles. Nicolas de Condé, a gentleman glass-maker from Lorraine, could just about put up with the insults from his enemy Gaucher des Fours until he was publicly challenged in front of the lieutenant of Clermont-en-Argonne: 'By God's death, you (*tu*) are no gentleman! You (*tu*) are not of the same quality as me. I did wrong to mix with you!' This was too much for Condé's brother-in-law: 'My brother-in-law is a gentleman, a man of worth', and he attacked and killed des Fours.⁴³ Although Jacques Rapin's family claimed he was a 'gentleman of a good house' the sneers of Laumosnier, a mere bailiff at the *présidial* court of Poitiers, 'attracted every day young men from this town of Poitiers to perpetrate insolences and use bad words which taint the honour of Rapin and his family, and which Rapin could not suffer'. Rapin slapped Laumosnier in the abbey of Celle in 1616 but refused to fight him in a duel—a public demonstration that he did not recognize his adversary as a man of equal status. In June the two men and their supporters were involved in a conflagration in which Rapin was killed.⁴⁴

Fear of being identified with the common herd was matched by fear of being displaced in the hierarchy by parvenus and outsiders. Pierre Dorléans was outraged in 1587 when the Bonnestat, who came from near Compiègne, came to live in the parish of Pierrefitte in Berry and claimed when they bought a house and two small strips of non-noble land to be its seigneur, 'though they held no fief or

⁴⁰ AN X2b 1202, 23 Oct. 1634.

⁴¹ AN X2b 1207, 4 Sept. 1637.

⁴² AN JJ 260/2 fo. 30, May 1550.

⁴³ R. des Godins de Souhesmes, *Étude sur la criminalité en Lorraine d'après les lettres de rémission, 1473–1737* (Paris: Berger-Levrault, 1903), 22 Aug. 1587.

⁴⁴ H. Imbert, 'Les Grands Jours de Poitou: registres criminels (1534, 1567, 1579, 1634)', *Mémoires de la Société de Statistique, Sciences et Arts des Deux-Sèvres*, 16 (1878), 303.

title or quality by this means they obliged or were able to make themselves recognized and marked out more than the ordinary inhabitants in the parish church'.⁴⁵ It is difficult for us to get beyond the tropes that appealed to a just sense of putting the upstart in his place. Fanciful and picaresque they may be but the memoirs of the so-called comte de Rochefort present, in the guise of Desplanches, an upstart's view of a feud in the 1650s. Rochefort was no count but rather a hired swordsman, an 'enforcer' who had served many masters, notably Richelieu. By 1653 he was in the orbit of the comte d'Harcourt. After Harcourt and his retinue had embarked on a drinking spree, climbed the statue of Henri IV on the Pont Neuf, and mugged several passing bourgeois, Rochefort was imprisoned and, abandoned to his fate by his master as a sop to the forces of law and order, vowed revenge. On his release he offered his services to Desplanches, probably a pseudonym, a recently ennobled rich man who was disgruntled that his neighbour, Harcourt, treated him with such disdain. Desplanches put his resources and lands in Lower Normandy at Rochefort's disposal, enabling him to wage a guerrilla campaign on Harcourt's lands: systematic poaching, cutting down trees, and attacks on comital officials and tenants.⁴⁶

Rochefort's tale takes place in the aftermath of the civil wars of the Frondes (1648–53) and may be read as a footnote to political breakdown. Desplanches could not have undertaken such a campaign without the support of his former Frondeur neighbours, enemies of the comte. Most importantly, Mazarin ordered him to molest Harcourt, his one-time loyal client during the civil wars in Normandy. But it is also instructive of wider social change, of how far social mobility had undermined traditional deference to hierarchy and rank, of how issues of social status might lead to violence. That a grandee like Harcourt could be so publicly and violently challenged by an *anobli*, however wealthy, would have been unthinkable in the fifteenth century. In 1647 Thomas Pitart, a man on the cusp of the Lower Norman gentry, murdered the brother of the comte de Montgomméry, one of the greatest nobles in the region, because he failed 'to treat with him as a gentlemen'.⁴⁷ Richelieu's belief that the sixteenth century had been one of decline and that levels of courtesy had fallen off from the Middle Ages would have been echoed by his contemporaries.⁴⁸ In one key respect all gentlemen were equal; they were conscious of their own worth and of the recognition due to them. However, the tendency of economic differentiation to exacerbate the social disparities among gentlemen inevitably widened the gap between the self-image and social expectation among those who were losing out. If pride and hubris were possessed in inverse proportion to wealth then violence was often the only adequate means of gaining recognition of one's status.

⁴⁵ AN X2a 1395, 25 Aug. 1587.

⁴⁶ Courtilz de Sandras, *Les Aventures du comte de Rochefort racontées par lui-même* (Paris, 1897), 115–33: For a defence of the historical value and accuracy of the events described therein: J. Lombard, *Courtills de Sandras*, 2 vols. (Paris: Presses Universitaires de France, 1980).

⁴⁷ BN NA Fr 21711 no. 1255, June 1654.

⁴⁸ Ranum, 'Courtesy, absolutism, and the rise of the French state', 432.

3

Honours and Prerogatives

Thus far we have considered separately the role of the material and the symbolic in the origins of dispute. Contemporary Europeans would have felt uneasy about this distinction. Honour was itself measurable by the *honours* that one had either inherited or had conferred by a superior. Ideally, honours should be commensurate with honour, so that 'reputation is finally sanctified by the bestowal of honours'.¹ As Louis Chabans put it in 1615 honour was 'public recompense for glorious or virtuous actions, but principally those of courage'.² Recompense consisted of honours, offices, and reputation, the first two bestowed by the king and the latter by public opinion. Chabans's solution to the duelling craze was echoed by the Protestant Agrippa d'Aubigné: the king must regulate honours and patronage better; virtue alone must be rewarded.³ These laudable sentiments were difficult to implement in practice as there was no consensus about suitability for rewards and honours. For example, many contemporaries would have objected to virtue above birth as the prime qualification for office. In a complex polity such as early modern France, an individual's worth was not the same from one group to another: factions and clans objected to and contested the promotion of men they felt not to be worthy, and conflict did not only arise over differing evaluations of the same person: 'the qualities needed to exert leadership in a rural community are not those needed to please at court.'⁴

Though competition for office was intense and the struggle for possession the cynosure of factional squabbling, disputes over royal office were not a priori causes of feuds.⁵ Likewise, duels fought over offices were rare.⁶ Venal offices were a commodity and not subject to laws of honour; rather they were subject to the market or passed down to heirs like other forms of property. Offices held by commission—captaincies, governorships, seneschalsies, and other military posts—were also subject to purchase and, since they were in the king's gift, there was no guarantee that the removal of a rival would secure the office. Ambitious individuals would not fight a duel to obtain this or that post. Challenges to honour were more

¹ Pitt-Rivers, 'Honour and social status', 22.

² Chabans, *Advis*, 5.

³ Aubigné, *Faeneste*, i. 40.

⁴ Pitt-Rivers, 'Honour and social status', 22.

⁵ For an exception from Lorraine: Godins de Souhesmes, *Étude sur la criminalité*, 89.

⁶ Over the captaincy of Montélimar and the charge of equerry in the king's stables: Vulson, *Theatre d'honneur*, ii. 529; AN X2b 1184, 16 Feb. 1623.

indirectly designed to demonstrate an opponent's unsuitability for command and to demonstrate that one's power could not be ignored. One of the most serious feuds in the early seventeenth century, that between the la Force and the Gramont, illustrates this point well. When in 1612 the office of seneschal of Béarn became vacant it was claimed by one of the most powerful men in the region, Antoine comte de Gramont. Gramont was Catholic and Protestant Béarn feared the erosion of the articles which had proscribed the exercise of the Roman cult in the principality following the end of the Wars of Religion. Gramont also had a longtime Protestant enemy and rival: the marquis de la Force, who feared a threat to his own position as governor of Béarn and viceroy of Navarre. In 1613 a private war erupted between the two parties and two years later the protagonists fought an inconclusive duel. Finally, the crown imposed a compromise: Gramont was accepted as seneschal and la Force's son was granted his father's offices *en survivance*.⁷

Honours were naturally sought for material reward, but to claim an office or prerogative was also to claim honour and to deny it to someone else, and thus the victor in the competition for office finds his reputation enhanced by the humiliation of the vanquished.⁸ Monarchs were able to maintain political stability if they distributed honours fairly, rewarding virtue and birth each according to its merits. Some kings, such as François I and Louis XIV, were adept at this; some, such as Louis XI, learnt from their mistakes; while others, like Henri II, Henri III, and Louis XIII, for varying reasons found the task difficult. But what of honours not in the gift of the monarch? Though public office was by far the most honourable and lucrative, it constituted a very small proportion of the rights and prerogatives that made up the hierarchy of honours. Competition for offices of commission was confined to a small political elite and for venal offices to those who could afford the high cost. However, all gentleman claimed the right to hunt and to take precedence in their local church and thus the drama of parish micro-politics mirrored the drama of court politics in all but the size of its audience and the scale of its import. Moreover, as it was unregulated and unmediated by the king in person it was far bloodier. In the 1660s Alexandre de la Roche thought that 'In the provinces nearly all duels come from quarrels, hatreds, and animosities, which have as their origins the lawsuits fought by the nobility over feudal honours, jurisdictions, precedence, and hunting rights.'⁹ La Roche's observations find support in the archives of the Parlement of Paris. In May 1655 François de Branche was interrogated about the ambush of a captain of the royal guard who had bought the superior portion of the seigneurie of Poilly. Branche and his father did everything to prevent the newcomer from enjoying his rights of precedence, and determined to 'end their differences by arms and not by law'.¹⁰

⁷ Jacques Nompars Caumont de la Force, *Mémoires authentiques*, ed. marquis de la Grange, 4 vols. (Paris, 1843), ii; Jaurgain and Ritter, *Gramont*, i.

⁸ Pitt-Rivers, 'Honour and social status', 24.

⁹ A. de la Roche, *L'Arbitre charitable pour éviter les procez et les querelles; ou du moins pour les terminer sans peinsye et sans frais* (Paris, 1668), 91.

¹⁰ AN X2b 1241, 29 May 1655.

THE RIGHT TO HUNT DEFENDED

Few nobles shared the Christian humanist disdain of Erasmus, Montaigne, and Cervantes for the hunt. Quite apart from being a recreation and a preparation for the battlefield, it was a cornerstone of noble sociability. When moralists satirized the pretensions of those who saw in the ability to hunt and ride well the true virtues of a gentleman, we can be sure they were attacking widely held views.¹¹ Hunting was an opportunity for public display, demonstrating one's status and affirming friendships. When Louise de Roquelaure died mysteriously in 1610 suspicion fell on her husband, the comte de Gramont, and her family naturally opposed the registration of his letters of remission in the Parlement of Bordeaux. The crown was able to broker an accommodation and on 4 April 1611 Gramont and his father-in-law met in the des Bonshommes church with the First President of the Parlement. After mass they ate and in the next few days they were seen to embrace and go hunting together.¹²

The right to hunt was a claim to noble status. Technically in the gift of the monarch, broadly speaking two categories of person enjoyed the right: nobles and seigneurs who had rights of high justice, and fiefholders. The first group differed from the other in the sense that their right to hunt was attached to their person and not to their property.¹³ From the late fourteenth century and throughout the early modern period the crown legislated with increasingly severe penalties—a sure sign that the law was being ignored—to exclude commoners, or at least those without established privileges, from hunting. Given the complexity of feudal law, the great variations of local custom about who was allowed to hunt what and where, and the great temptation to use the public display involved to ascend the social ladder and show that one was living nobly, it is not surprising that the hunt was a prime site of contestation within local elites. Hunting disputes might even spill over into the capital: in May 1628 François de Pardieu killed the marquis de la Londe, captain of the royal hunt in Normandy, in a duel on the Pont Neuf.¹⁴

The growth of jurisdictions to protect royal forests and the increasingly severe punishments for poaching inevitably led nobles into conflict with royal officers. Jacques de Clermont baron de Thury in the Sologne waged a battle in the 1620s with François de Sity, lieutenant of the king's hunt in the county of Blois, and Baudouin, captain of the château of Chambord, who accused him of poaching in and damage to the royal hunting reserve. The dispute escalated as baronial and royal officials clashed and killed each other in the forest. In April 1632 the baron arranged for two lackeys to beat up Baudouin in Paris. He then obtained a warrant and with twenty-five men raided Sity's house who 'full of wile and courage

¹¹ C. Sorel, *The Comical History of Francion* (London, 1655), bk 6, p. 8.

¹² Jaurgain and Ritter, *Gramont*, ii. 383. See also the interrogation of François Mauguois: AN X2b 1198, 17 July 1632.

¹³ Salvadori, *La Chasse*, 30.

¹⁴ AN X2b 1190, 27 Feb. 1631.

jumped into the moat with only a shirt to escape the fury of the [baron] whom he knew to be his capital enemy'.¹⁵ A more common cause of violence however was the widespread usurpation of rights by those claiming the privilege to hunt. This problem was already evident in the fifteenth century. Jean de Hellenvillier, a Norman, had had problems for fifteen years with a vassal, a Rouergat soldier and carpetbagger, who had arrived during the province's troubles of the 1450s and 1460s, before he killed his man in 1483.¹⁶ From the opposite perspective, men on the cusp of nobility had to prevent their game parks being plundered by richer and more powerful neighbours, and feared that restrictions on their hunting rights were a challenge to their status.¹⁷ Lawyers and magistrates might make particularly uncomfortable neighbours for those who felt that their rights were being infringed by social upstarts.¹⁸ The governor of Vire insulted the sons of the president and a councillor of the *présidial* of Caen by questioning their right to hunt; they had their revenge several days later, ambushing the governor on his way to Rouen, shouting with pistols drawn, 'Let's see if you are such a brave gentleman now you're in the shit'.¹⁹

Hunting reserves were a major source of feuds into the 1650s.²⁰ In Normandy they remained a problem until at least the 1680s.²¹ One of the documented conflicts is that between the Bouchet and the Villiers in the Norman Marches.²² The two families held respectively the fiefs of Hellou, with its château of Baudet, and Maleffre, divided by the main road leading south from Alençon. Their rights were extensive and did not just include the right to hunt. The seigneur of Maleffre for example had the right to 'take from each stall every Saturday, Monday and Thursday in the Alençon meat market a slice of calf's leg in order to make a morsel for a hunting bird. The butchers of Alençon were also constrained to conduct the seigneur of Maleffre from Alençon to his lands armed with staffs to defend him at any time that he so wished. In turn they could take from his forest any wood they required for skewers and splints.' Gilles de Villiers caught the Bouchet hunting on his lands in 1663 and in the ensuing argument one of his dogs was killed. Before the dispute escalated the count-bishop of Lisieux, Léonor de Matignon, a member of the most powerful family in Lower Normandy and local landowner,

¹⁵ AN X2b 1198, 26 Mar. 1633.

¹⁶ AN JJ 212 fo. 27, Nov. 1483.

¹⁷ For example: AN JJ 259 fo. 12, Jan. 1549; X2a 1393 fo. 114^v 21 May 1583. See also: 'Les Regnault de Cordebœuf et le château de Beauverger', *Bulletin de la Société d'Émulation du Bourbonnais*, 27 (1924), 198.

¹⁸ AN X2b 1191, 9 Mar. 1627, interrogation of Antoine de Louans for the murder of his brother-in-law, king's advocate at Ribemont, over hunting rights. For Auvergnat officers killed while out hunting: AD Cantal, Fonds de Comblat, 16 June 1636 and 17 May 1647.

¹⁹ 'Voyons si tu es aussi brave gentilhomme icy [que] tu es sur ton fumier': Floquet, ii. 482.

²⁰ AN JJ 195 fo. 285, Jan. 1475; 206 fo. 11, Sept. 1478; 219 fo. 52, Apr. 1488; 238 fo. 199, Oct. 1525; 265 fo. 181^v, Aug. 1567; 266 fo. 72^v, May. 1568; X2b 1176, 29 Nov. 1584; 1195, 5 Mar. 1631; 1240, 30 Jan. 1655; Pierre de l'Estoile, *Registre-journal du règne d'Henri III*, ed. M. Lazard and G. Schrenck 6 vols. to date (Geneva: Droz, 1992–), iii. 31; Floquet, i. 530.

²¹ Floquet, ii. 490, 494.

²² G. Thil, 'Chronique sur une affaire criminelle au XVII^e siècle entre les seigneurs d'Hellou et de Maleffre', *Bulletin de la Société Historique et Archéologique de l'Orne*, 114 (1995), 1–13.

intervened. Louis du Bouchet, head of the family, promised not to hunt on his neighbour's lands and to replace the dog. However, in August 1666 he was seen by a peasant infringing the terms of the accord. On 6 November Villiers was seen on the Alençon road with a dozen armed men, including their cousin, the notoriously violent Bonnebos. He asked a peasant where Bouchet was, saying that 'if I found them here, I'd smash their muskets over their heads'. At 3 p.m. a hunting party came out of the La Noë de Jaigne woods—those reserved for use by the Alençon butchers—consisting of Louis du Bouchet's younger brothers, François, Jean, Henri, and Jacques, and two servants. A peasant testified that Bonnebos led the attack shouting 'God's stomach, you are buggers and knaves to be so bold as to come and hunt on our fiefs.' In the ensuing *mêlée* one man from each side was killed, including Jean du Bouchet. The dispute now transferred to the law courts and in 1670 Villiers and his men were executed in effigy in Alençon. Passions abated with the death of Louis du Bouchet in 1672 and peace was finally imposed two years later when the Villiers were able to register their pardons at the Parlement of Rouen, quashing the capital sentence against them.

Normandy provides us with a disproportionate number of cases of killings caused by hunting disputes, including a number of cases from the later seventeenth century and our only case of a falconry dispute ending in a fatality.²³ This may be coincidence. After all, Normandy was relatively well wooded and had extensive and well-maintained royal forests. Historians who are better acquainted with the complexities of customary law codes may in future be able to tell us more about local peculiarities. In the east and north of France the right to enclose land as a hunting park (*droit de garenne*) was reserved strictly for lords with rights of high justice. In the west, including Normandy, such rights were open to all landowners, making disputes between neighbours more likely. Moreover, enclosed parks were assimilated into the house and offences committed there fell under property law and not under laws governing the hunt. A number of customary law codes stated the delinquents found in parks were thieves rather than poachers and deserved to be punished as such.²⁴

Throughout France, however, the hunt was a pretext for intimidation and murder. The deliberate spoliation of an enemy's crops by the hunt was a familiar tactic.²⁵ Neighbours who otherwise went out of their way to avoid each other might suddenly come upon their foe heavily armed. To meet an enemy by chance when he was outgunned and outnumbered was too great a temptation for many, and premeditation is often discernible in the documentation. Fifteen-year-old Hector de Nourry confessed that he had gone hunting in September 1613 with his brother and a soldier whom they met by chance, and just as fortuitously they met the Brécey brothers who had had a quarrel with their father five years before. Even more fortuitously their father and his nephew appeared on the scene just

²³ AD Seine-Maritime G 3503, 23 May 1596; 3504, 25 May 1604; H. de la Ferrière-Percy, *Histoire du canton d'Athis* (Paris, 1858), 267–70; BN NA Fr 21711 no. 1464, June 1654.

²⁴ Salvadori, *La Chasse*, 17.

²⁵ AN X2b 1240, 18 Mar. 1655.

after he had downed one of his opponents with a carbine.²⁶ What Nourry failed to say was that the two families were in the midst of blood feud; his father having killed Nicolas de Brécey as long ago as 1586.²⁷

Hunting provided the perfect cover for assassination since it necessitated the carrying of firearms that were otherwise forbidden by royal edict. Forests provided the perfect environment for an ambush. The widow of Louis du Lac complained in 1547 that her husband had been attacked from the rear on the main road from Pithiviers to Jargeau by his enemy, an errant vassal, who though he feigned hunting was in fact accompanied by six men on Spanish mounts and dressed in mail coats.²⁸ No wonder Charles de Noailles wrote to his brother from Paris in 1583 counselling him that until his dispute with a neighbour was terminated he should refrain from hunting.²⁹

RELIGIOUS FESTIVALS

'It is necessary now to come to the principal cause which moves the French nobility to quarrels, disputes and division: . . . pre-eminence in churches and the honours in them . . . who will be the loftiest in life and death . . . who shall lead processions, and . . . who shall give the blessed bread first' to the priest at the end of the mass.³⁰ Writing at the beginning of the seventeenth century, Paul de Montboucher, a Breton commentator, thought the parish church to be the major cause of feuding in Brittany, claiming that such disputes were more prevalent than elsewhere because the province had many more nobles, that over the previous fifty or sixty years court cases over precedence in churches lasted so long they had become 'immortal', that at present there were 500 disputes of this kind in the province, and that 'not a Sunday, nor a feast day during the year passes without an assembly of a noble lineage on this subject'.³¹ Evidence from outside Brittany supports his claim that for the mass of nobles churches were the prime site of contestation with their neighbours. Why this should be so requires some elucidation but first we need to consider in turn the evidence relating to the major aspects of religious life in the parish: festivals and processions; church buildings and their contents; liturgy and worship.

In spite of his gout and great age—he was between 80 and a 100 years old—Arnaud de Fayolle was determined to enjoy the festivities of Assumption in the church of Notre-Dame de Bonsecours at Saint-Pardoux in Périgord. Arnaud claimed to be the founder of the pilgrimage to the site which took place at

²⁶ AD Seine-Maritime G 3504, 5 May 1614.

²⁷ AD Seine-Maritime 1B 3205, 23 July 1586.

²⁸ *Recueil de plaidoyez notables*, 1547. See also AD Cantal, Fonds de Comblat, 30 July 1631; AN X2b 1202, 19 July 1634.

²⁹ A.-L. de Paris (ed.), *Les Papiers de Noailles de la bibliothèque du Louvre*, 2 vols. (Paris, 1875), ii, 189.

³⁰ P. de Montboucher, *Traicté des ceremonies et ordonnances appartenans a gage de bataille et combats en camp-clos* (Paris, 1608), 36.

³¹ *Ibid.* 36–7.

Assumption, the parish feast day, each year.³² Pilgrims were welcomed by a confraternity which was governed by a king, his queen, and an emperor and which paid for the large number of candles to illuminate Our Lady. The year 1489 was, however, special because Arnaud had made a vow the previous year that if his sons survived the battle of Saint-Aubin-le-Cormier he would underwrite the accounts of the kingdom of the confraternity for the following year. However, he was prevented from fulfilling his promise by his 'mortal enemy' Guyot de Bourdeille, a mere 20 years old, who two months before had fired a crossbow at his eldest son. According to Arnaud, on that 15 August Bourdeille arrived in the parish at vespers with twenty 'satellites', entered the arbor beneath which the festivities were taking place, and without any greeting joined the dancing, simply in order to provoke his enemy. Arnaud was conscious of his rights: he was king of the confraternity and it was the custom that those who had not taken part in the day's devotions could not dance. Arnaud descended from his throne as king of the confraternity and asked politely why they had come armed and why they danced without his permission. Bourdeille replied 'By God's flesh they will dance in spite of you.' Soon the two retinues were engaged in combat. Arnaud's letters of remission are constructed so as to show him as a benefactor of the community and man who had made a solemn vow. By contrast Bourdeille is presented as a youthful perturber of custom and tradition. Arnaud's pardon tale shows his family's proprietorial attitude to the village confraternity and its feast and the resentment that enemies might enjoy the fruits of their bounty or disrupt a festival that underscored their power in the region, especially since the Bourdeille were one of the four barons at the top of Périgourdin society. We find evidence of this sort of behaviour in the seventeenth century too. Two seigneurs contested the rights of justice in the village of Sainte-Marie (Auvergne): one of them demonstrated his rights by clamping down on feasting and dancing on Sunday. The other, and undoubtedly more popular, objected and on 22 August 1611 barricaded the streets of the village and greeted his enemy with a volley of musketry.³³

Confraternities encouraged fraternal relations among their members, contributing to peace and equilibrium, and although festivals, religious holidays, and wedding feasts often ended in brawls such quarrels were an accepted by-product of male competitiveness and drunkenness which, if they did not result in serious injury, were soon forgotten on sobering up. When issues of honour and precedence among the elite were at stake, deeper animosities might surface. A royal sergeant angered the gentle-born members of the sodality of Saint Séverin at Nielles in Flanders by requesting the addition of his arms to the confraternal banner and is murdered. At Excideuil the king and the captain of the village confraternity were 'mortal enemies', which had murderous consequences at the feast of Saint Thomas, 1559. At the beginning of the seventeenth-century Antoine de Lespine and Pierre

³² AN JJ 220 fo. 129^v, Oct. 1489.

³³ C. Felgères, *Histoire de la baronnie de Chaudesaigues* (Paris: Champion, 1904), 213.

Gosselin fought a duel in Rouen after a Mardi Gras prank got out of hand.³⁴ The lighting of bonfires was a traditional midsummer festival throughout France whose pagan origins made pious killjoys suspicious. Whether Pierre de Fontaines, seigneur de Ramburelles, had *dévot* sympathies we do not know, but in 1624 he forbade the lighting of fires by his vassals and cousins the Fontaines of Pelvert. François seigneur de Pelvert and his two brothers, ignoring the placards prohibiting them, gathered with their supporters to light the fire and shout insults at Ramburelles in the knowledge that 'midsummer bonfires are devotional and not marks of lordship'.³⁵ When Ramburelles tried to enforce his authority there was a fight in which two of his seignorial officials, the seigneur de Pelvert and one of his sons was killed. The following year Ramburelles was ambushed and assassinated by the surviving Pelvert brothers.

Processions and ceremonies were arranged strictly according to precedence and, whether at court or in the parish churchyard, were a microcosm of the social hierarchy. Pierre Benoist, a notable from Limoges, was so upset that Petiot, a royal official, had been seated ahead of him at a wedding in 1649 that after the festivities he shot him in the back.³⁶ Holy week was probably more peaceful than other times of the year and communicants more than usually conscious of the consequence of their behaviour. However when an extraordinary procession was held in Easter 1645 because of the frosts at Coulombs, a suburb of Nogent-le-Roi, Étienne de Compans was horrified to see Guyart a mere archer of the *maréchaussée*, precede him, and so he remonstrated with Guyart, who refused to budge. As the procession wound its way through the village the two men bickered continuously and after it had ended Compans punched his adversary. When arraigned by the *lieutenant criminel* of Chartres for this he took out his frustrations by beating up Guyart's father.³⁷

CHURCHES AND THEIR FURNISHINGS

The publicity accorded to challenges during festivals and processions deepened the sense of injured pride: to be dishonoured in the presence of one's neighbours and peasants was humiliating. Enemies were not easily avoided in church. In 1601 René Desvaux's opponent in a lawsuit sat so close to him during mass that 'he was elbowed and caused him to drop his book of hours', inciting him to give his enemy the lie.³⁸ When read out in churches, judicial documents, like witnesses' summons, were provocative and a cause of antagonism. Churches were the best

³⁴ AN JJ 210 fo. 103, Jan. 1484; <http://members.lycos.fr/plichet/autres/dufraise2.htm> (2003); Floquet, ii. 446–7. For killings among the officials of Dorat during Mardi Gras 1632: le Roux (ed.), *Chartes, chroniques et mémoriaux pour servir à l'histoire de la Marche et du Limousin* (1886), 295–6.

³⁵ AN X2b 1190, 17 Oct. 1626.

³⁶ BN Thoisy 116 'Factum pour Me Jacques de Petiot sieur de la Mothe de Gain, Conseiller du Roy, Juge ordinaire de Limoges.'

³⁷ AN X2b 1224, 28 Sept. 1645.

³⁸ AN X2b 1179, 16 Jan. 1602.

and in some rural communities the only effective place to make a public challenge. Laurens de Fontaines stuck a handbill to the door of Ramburelles church which libelled his enemy, while Pierre de Bellgarde knew that when he slapped his wife's lover's face in the church of the Minimes in the Place Royale in Paris his enemy would not decline his challenge without loss of face.³⁹ Conversely enemies who went to mass together were making a public act of reconciliation. Those who took communion while they harboured rancour in their heart put their salvation at peril. To avoid contact with one's enemy one had to avoid the parish church altogether, although for those with chapels and chaplains this did not mean forgoing the sacraments. Nevertheless, the regular absence of members of the village elite from the central social and religious experience of the community did little to contribute to harmony.

Churches were often the scene of violence, not just because they were the best environment for impugning an enemy's honour or taking him unawares, but because notables had proprietorial interests in the edifice and its furnishings and the appointment of the curé. Great prestige was attached to the eminence of marks of honour in a church. Pre-eminence was usually marked by the right to a pew, to display arms in the interior and to a tomb niche. The pew, with or without arms, was located in the chancel: the place beside the Gospel was considered the most honourable. Arms painted along the walls in the nave looked down on the congregation. Great importance was attached to escutcheons painted or sculpted on the vault. Arms in the stained glass were ranked according to their height, those placed in the chevet of the church and the highest windows indicating superiority. Particular rights were enjoyed in the chancel, in side chapels and other chapels of the parish, but jurists were undecided about who had pre-eminence; some argued that it was the patron of the church, others that it was the seigneur with rights of high justice. In some cases the right was attached to a fief. The confusion made lawsuits common, especially when rights were alienated, land sold, or new families rose into the parish hierarchy. The seigneurie and high justice of Pierrefite au Bois in Berry belonged in the 1580s to the wife of the president of the Parlement of Paris, Séguier, an absentee lord.⁴⁰ Problems had begun in the parish when the father of Pierre Dorléans, originally from Compiègne, had married a woman from Sancerre and bought a house and non-noble land in the village. Pierre embellished his property, calling it a seigneurie and erecting a portcullis. The resident noble family, the Bonnestat, complained that 'although [Pierre] held no fief and no title of quality by such means he required and wished to be recognized and marked out more than other ordinary inhabitants of the parish. Thus he undertook to remove a window in the church placed there by the predecessors of Georges de Bonnestat and replace it with another with his arms and he wanted to enjoy the honours and prerogatives of the church.' Madame de Séguier arbitrated. It was agreed that

³⁹ AN X2b 1190, 16 Oct. 1626; 1220 10 Dec. 1643.

⁴⁰ AN X2a 1395, 29 Aug. 1587; 20 Aug. 1588.

precedence be rotated on a sixth-monthly basis before a definitive settlement, but this did not solve the problem. The Bonnestat clearly felt threatened by the rise of their neighbours. Their lawyer's description of the Dorléans gives an indication of their fears: 'The emperor Julian was more modest having renounced Christianity.' After mass on the Sunday after Easter 1587 Georges de Bonnestat was killed as he left the church.⁴¹

The display of arms in a communal space was a sign of dominion and community acceptance of one's status. Church decoration became embroiled in wider parochial conflicts. Having to sit through a service, gazing upon the freshly painted arms of one's enemy was hard to bear.⁴² Defacing arms impugned the victim's honour and could lead to violence. Sylvain de Bridiers stated that his family had been the founders and patrons of the church of Chasseneuil in Berry, and that the interior of the church recorded their possession in the form of his ancestor's tombs and arms.⁴³ His right to appoint to the benefice had been challenged by the sieur de la Philippière and his brother, the prior of Maubec, but the quarrel had been quickly terminated and the latter had enjoyed the benefice uncontested at the end of the sixteenth century. However, in 1618 a number of parishioners complained to Bridiers that the vicar employed by the la Philippière was ill-paid and incompetent, saying mass at the discretion of his master so that the rest of the parish could not take part, failing to attend to the sick and, most seriously of all, neglecting to say the masses founded for the souls of Bridiers' ancestors, the main benefactors of the church, and to make benedictions for the Bridiers and their friends. The parishioners stopped paying, or were told to stop paying, the tithe until a new priest was installed, and wrote a letter to the prior of Maubec asking for someone better than one of his Benedictine monks. The la Philippière brothers suspected that their enemies were behind the letter and one day at mass they confronted the youngest of the Bridiers brothers, des Granges, demanding an explanation. An argument and scuffle ensued in which the prior broke the sword of his opponent.

The parishioners had some cause for dissatisfaction for when the archbishop of Bourges conducted his visitation he ordered the vicar to cease performing services on pain of excommunication. The two parties were now set on confrontation as the la Philippière refused to comply and took to conducting their man to the service with an armed escort. Tensions exploded with the return of the eldest of the Bridiers, the sieur de la Cousture, who Sylvain de Bridiers admitted was so unhinged that he had been excluded from the succession and sent to far-off Languedoc under the eye of a cousin. La Cousture arrived in the village on

⁴¹ APP AB 10 fos. 164, 181^v Pierre was condemned in absentia to be executed on 17 March 1588. The Parlement had still not decided on his letters of remission when he was released from the conciergerie on 18 July.

⁴² M. Nassiet, 'Signes de parenté, signes de seigneurie: un système idéologique (XV^e-XVI^e siècle), *Mémoires de la Société d'Histoire et d'Archéologie de Bretagne*, 68 (1991), 175-232.

⁴³ AD Seine-Maritime G 3504, 7 May 1630.

1 February 1619 to find his brothers absent. When he was informed of recent events he stormed into the church, pushed and shouted at the priest. The la Philippière intervened complaining that their enemies 'had played the jest through a fool and they would pay for it'. When the la Philippière approached the church the following day the four Bridiers brothers and their men were waiting for them behind the vestry beside the cemetery. A gunfight broke out and then the two sides closed for combat. Seven men died, including one of the Bridiers, the bastard de la Philippière, and the prior.

The Bridiers were careful to represent themselves as the upholders of clerical standards; they twisted the concerns of the Catholic religious revival to their own purpose, needing little encouragement from their peasants to trouble their enemies' control of the Church and hide behind the authority of the archbishop. Both sides were claiming ownership of Chasseneuil church and the heavy death toll is an indication of the depth of animosity that had accumulated on both sides over the previous twenty-five years and the importance of the parish church as a symbol of power and lordship.

Living with multiple patrons were a source of potential litigation and violence.⁴⁴ Problems at Saint-Paër in Upper Normandy led to violence in the early 1580s when Guillaume Auber smashed the arms of his more powerful neighbour, Martin d'Espinay, in the windows of the parish church. Espinay retaliated by sending lackeys to attack his enemy; they only succeeded in killing a valet. The threat to public order was so serious that the provincial governor had to take the matter in hand. The differences between the two men were complex and various but may be traced back to the fourteenth century. In 1351 the parishes of Saint-Paër and Trubleville were united and the living of the new church was to be shared between the abbey of Jumièges and the lord of Trubleville. The union was complicated by the fact that another lord in the parish, the holder of the fief of Mesnil-Vasse, had ceded his rights to the abbey as a charitable bequest and now found his position in this wealthy parish usurped by an outsider. Throughout the fifteenth century the lords of Mesnil-Vasse contested the new arrangement arguing that the Trubleville's portion of the parish had merely been a chapel that had fallen into ruin; that the parishioners of Saint-Paër had accorded their neighbours a side chapel of their church dedicated to Our Lady where they could say mass and which had its own entrance:

without having anything in common with the main body of the church, where in honour and memory of the charitable bequest made by the seigneur de Mesnil-Vasse to the monks of Jumièges eighty pots of wine are handed out at Easter to the parishioners of the principal portion of Saint-Paër, and that the monks each year forbid the churchwardens to distribute wine to the parishioners of Trubleville, since the seigneur de Trubleville is not their benefactor, recognizing the seigneur de Mesnil-Vasse as their

⁴⁴ Remission for Pierre d'Anglars: AN JJ 247, Aug. 1534. Appointments to parish schools were also the subject of violence: AN JJ 195 fo. 15^v, Apr. 1468.

honoured patron and benefactor due to the rights and emoluments that had been bequeathed by his predecessors.⁴⁵

As lords of Trumbleville and barons of Saint-Paër the Espinay defended their rights in the parish against the monks and recalcitrant vassals. This became more troublesome when the fief of Mesnil-Vasse was bought in 1470 by the Auber family, a wealthy bourgeois lineage rising into the nobility via the provincial legal establishment. Sometime around 1580 Guillaume Auber took advantage of the Wars of Religion to assert his rights, smashing his rival's arms and stained glass. Martin d'Espinay, also a Catholic, aged about 20 when he married in 1577, was a man of much higher status but a political non-entity beset by family schism: he had four elder half-sisters, at least two of whom were Calvinists.⁴⁶ Family politics and religious differences may have undermined his authority and his vassals were quick to take advantage of weakness: Auber claimed that he had been asked by the damoiselle d'Espinay to remove the arms 'by love or by force'.⁴⁷ Perhaps she objected to her family name being associated with popery. Auber added that he was not attacking the nobility of his opponent since he had left his coats of arms standing elsewhere. What he seemed to be objecting to, with the approval of his enemy's half-sister, was the existence of stained glass which threatened his rights of precedence.

Benefactions to a church were used as a means of securing seating arrangements more appropriate to one's station. For example, in the feud between different branches of the Fontaines family the Fontaines de Pelvert were vassals and held lands in Ramburelles but had no rights of justice. The judges of the Parlement of Paris asked François seigneur de Pelvert if his family had traditionally had their pew in the chapel of Saint Nicholas. Pelvert claimed that his family had always had a right to sit in the chancel below a stained glass window it had paid for, and that his ancestors had only been buried in the chapel because they had a particular devotion to Saint Nicholas. Although at Pentecost 1624 he had the signed permission of the priest and the churchwardens to place a pew beside the lectern facing his enemy, he took the precaution of erecting the pew at night and taking his pistols to mass the next day.⁴⁸

Martin d'Espinay was probably doing the same thing, extending or reasserting his rights at Saint-Paër. He paid for new stained glass in order to display his arms and advance his seating place from the chapel of Our Lady to the chancel. From their initial base in the chapel and with their rights to appoint to the second living

⁴⁵ AD Seine-Maritime 9H 645, 1600; J. Loth (ed.), *Histoire de l'abbaye de Saint-Pierre de Jumièges par un religieux bénédictin*, 3 vols. (Rouen, 1882–5), ii, 94–5.

⁴⁶ Espinay was count of Buffon (Burgundy) and Rosendael (Flanders), seigneur of Merlebeck and Zeurebant (Brabant), and could claim royal blood through his Dreux ancestors, but I have been unable to find supporting evidence for the sketch provided by Anselme, other than that he was captain of Louviers for the Catholic League. One of his half-sisters married in London in 1570, another wedded a Protestant councillor of the Parlement of Rouen: Anselme, vii, 472.

⁴⁷ BN MS Fr 11926 fo. 64.

⁴⁸ AN X2b 1193, 19 Feb. 1629.



FIG 3.1. The contested church of Saint-Paër. The rise of the Espinay family can be traced through its architecture, from the foundation of the fourteenth-century chapel on the right to the building of the Renaissance portico. Photograph the Author.

as lords of the Trubleville, the Espinay were able to encroach into the heart of the church. Dominance of the parish was their aim. In 1524 Espinay's grandmother left money in her will to be buried in a marble tomb alongside her husband not in Saint-Paër but in the neighbouring church of Vifs, where they were the main fiefholders.⁴⁹ But Saint-Paër was the more prestigious establishment; it underwent extensive renovation and embellishment in the Renaissance, probably under their patronage, and, when at the end of the sixteenth century his vassals and the monks of Jumièges took him to court for placing a pew and an oratory in the chancel, his lawyer was able to claim that he was the true patron 'temporal and spiritual'.⁵⁰ The tension over Espinay's claim was sharpened when around 1605 Martin ordered the construction of a sepulchre in the event of his death next to that of the recently deceased priest, whom he had appointed. Had he paid for the priest's tomb in order to advance his own claims? This fresh attempt at colonization was successfully resisted but when Martin died in 1609 his son continued the fight. Litigation continued until at least 1669.⁵¹

Pews were commonly tied to specific plots of land. Problems arose when a purchaser of property of lower social status than his neighbours proceeded to sit

⁴⁹ J.-J.-L. Lainé, *Archives généalogiques et historiques de la noblesse de France*, 11 vols. (Paris, 1828–50), xi. 16.

⁵⁰ AD Seine-Maritime 9 H 645, 20 Feb. 1606.

⁵¹ AD Seine-Maritime 9 H 645.

in a position that suggested he was of higher rank, or when an inheritance was contested. The smashing of the offending pew was an all too frequent demonstration of public animosity, the retaliation for which might even spill over into the streets of the capital.⁵² Extensive social mobility in the centuries following the Hundred Years War inevitably meant that seating disputes were among the commonest sources of tension among the village notability. It is not difficult to imagine how the Beaufort, a lineage from the Auvergne, felt when Gilbert Reddon, who had been raised in his father's household, began to grow rich and locally significant on the back of seigneurial office-holding and moneylending. In lieu of arrears, the Reddon clan acquired property that gave them a pew in front of the Beaufort family, and when the Beaufort protested there was a fight in the church in which Antoine de Beaufort was killed, his father wounded, and his sister 'dragged out of the church by her hair'. The surviving Beaufort brother, Louis, launched an attack on the Reddon household, killing Gilbert and his wife and stealing their horses. Reddon's son had his revenge by shooting Beaufort's father on his way back from mass. This story was framed in Louis de Beaufort's letters of remission to demonstrate he was defending the traditional social order against naked ambition, behind which lurked violence.⁵³

Seating arrangements in church were a microcosm of the village hierarchy and to lose one's place was to lose honour and cede power and authority. Antoine du Mesnil was aggrieved when one of his father's vassals, François Desmares, claimed nobility by building a dovecote. After the beginning of the high mass in the church of Sommersy in Normandy on Sunday 12 July 1587, he left his seat to take part in the offertory procession. When he returned to find his enemy sitting in his seat, he was pushed over the edge. In the ensuing scuffle the priest carrying the pax board was punched, though both men were respectful enough to draw their swords only after mass had finished.⁵⁴ André de Clery and Louis de Hardeville were less respectful on Holy Innocents day 1617; they quarrelled in the chancel about who should be sitting closest to the altar, and as the priest read the Gospel they began to scuffle, exchanging punches and drawing their daggers.⁵⁵ These incidents are surpassed in their brutality by the events of 1610 when two sets of cousins confronted each other on the portal of the chapel of Charné near Ernée, despite their seating arrangements being the subject of arbitration. In the mêlée that ensued the sieur de Vahais was killed. His opponent, the sieur de Boisbéranger, was chased into the field adjoining the Presbytery, and though he pleaded for his life he was run through and his corpse unceremoniously thrown down the steps that led from the cemetery to the road.⁵⁶

⁵² AN JJ 206 157^v, July 1481; 246 fo. 5^v, Aug. 1531; APP AB 10 fo. 48^v; AN X2b 1199, 21 May 1633. For Paris: AN X2b 1187, 1624, interrogation of Robert le Doyen of Normandy for attacking his enemy in the rue de Vaugirard.

⁵³ AN JJ 265 fo. 157, Mar. 1567.

⁵⁴ AD Seine-Maritime 1B 3210, 29 July 1587, supplication of Antoine du Mesnil.

⁵⁵ AD Seine-Maritime G 5012, 19 Jan. 1618.

⁵⁶ AN X2b 1180, 15 Nov. 1610.

LITURGY: BETWEEN RIGHTS OF LORDSHIP AND RITES OF HARMONY

According to custom, Isaac de Beaucaire seigneur de Lienesse had the right to precede all other parishioners in the rituals of the church of Neuilly-en-Dun in Berry. His neighbour the seigneur des Hérauds claimed, however, that this right was strictly personal and did not extend to other members of his family. On Ash Wednesday 1603, when Lienesse's wife, Marguerite d'Alègre, rose to process to the altar and receive the daubing of the ashes Hérauds indignantly brushed her aside and approached first. Henceforth both sides went to mass with their armed retainers and parish life was utterly disrupted. Lienesse posted arquebusiers around the communal ponds to stop his enemy fishing, smashed his enemy's arms, which had been painted in the high altar, and hatched a project to mine their château. When the head of both families were condemned to death by rival courts their kinsmen finally saw sense and approached the seigneur de Beauvais-Nangis to mediate. His compromise sensibly divided the rights of honours of the church between the parties, to be enjoyed by all members of the family. The seven honours in question are a catalogue of the potential areas of dispute between lay participants in the liturgy of the Catholic church and reveal how such honours were finely calibrated. The Beaucaire had their rights to precedence in the liturgy confirmed in five areas of activity: blessing with holy water; receiving the *pain bénit* (consecrated bread) for distribution; the offertory procession; the distribution of the ashes on Ash Wednesday; and incensing by clergy during mass and processions. Hérauds received recognition of superiority in two: the right to the procession at the beginning and the end of mass and the honour of carrying the canopy over the Host. This was a clear victory for the Beaucaire as they were to enjoy clear precedence in areas pertaining to the sacraments, while their opponents were to enjoy dominance in marginally important activities, suggesting that a degree of face saving was employed by the mediator.⁵⁷

The drama of the mass was central to the establishment of peace in the community, but precedence and lordship were in tension with rites of social and spiritual harmony. Apart from the distribution of Ash Wednesday ashes, all the rituals outlined above were integral to the mass and, although some of the rites were used at feast days and other events, overwhelmingly precedence disputes in the liturgy concerned the mass, especially the offertory procession and the distribution of consecrated bread. It is worth familiarizing ourselves about the elements of the traditional mass. Virginia Reinburg distinguishes between the clerical and lay experience of the mass on the eve of the Reformation. For the lay congregation 'the mass was a series of collective devotions and ritual actions: for them, the most

⁵⁷ A. Lesmaris, *Un historien du XVI^e siècle: François de Beaucaire de Puyguillon, 1514-91* (Clermont-Ferrand: G. de Bussac, 1958), 97-8.

important elements would be the Gospel, the bidding prayers, the offertory processions, and the distribution of consecrated bread at the end of the mass... the laity's mass was less a sacrifice and sacrament than a communal rite of greeting, sharing, giving, receiving, and making peace'.⁵⁸

Hierarchy, which embodied the power relations in the community, was explicit in lay participation: notables preceded the lower orders; men preceded women. In the offertory procession the lay representatives of the parish processed hierarchically to the altar, bearing alms, candles, bread, and handed them to the priest or his acolytes. The most common gift, bread, was blessed and distributed after mass as consecrated bread. 'This gift of bread has connotations of both sacrifice and charity. It represents the congregation's material participation in the sacrifice, and also savours of almsgiving, of a sharing of the community's largesse.'⁵⁹ The priest's recitation of the peace prayer was the signal for the kiss of peace; he kissed the altar, then kissed the pax board and passed it on to an acolyte who carried it through the congregation in order of precedence.

John Bossy has argued that these social aspects of the mass were undermined by the move to more frequent communion during the Counter-Reformation: 'The assumption by seventeenth-century French devotional writers that the customary *Pax* was better represented by the cultivation of private sentiments than by an exterior ritual act testifies to their desire to promote interior feelings which might be jeopardized by actual contact with one's neighbour.'⁶⁰ But how far devotional writing shaped practice is debatable. The Counter-Reformation did not substantially alter the liturgy, and communion for the vast majority of lay participants continued to be a rare occurrence. We have some evidence to suggest that the *pax* board was falling out of use by the beginning of the eighteenth century. But as always in France there were wide regional variations. Reform of the breviary did not get seriously under way until the end of the seventeenth century.⁶¹

Reinburg has also shown that any congregant present could not have failed to recognize the gestural connections between liturgical and secular rites: 'The offertory procession closely resembles not only almsgiving ceremonies, but also obligatory donations by tenants to seigneurs. In the distribution of consecrated bread we see shadows of seigneurial and communal distributions of wine, cakes, and other gifts.'⁶² As I explore below, rites that embodied seigneurial authority and power relations in the liturgy were not substantially altered by the Counter-Reformation in France and so churches continued to be a major arena for conflict between disputing nobles well into the seventeenth century: twelve of the twenty-three precedence disputes that resulted in violence in the period up to 1650

⁵⁸ V. Reinburg, 'Liturgy and laity in late medieval and Reformation France', *Sixteenth-Century Journal*, 23 (1992), 531–2.

⁵⁹ Ibid. 532.

⁶⁰ J. Bossy, *Christianity in the West* (Oxford: Oxford University Press, 1985), 141.

⁶¹ My observations rely on J. McManners, *Church and Society in Eighteenth-Century France*, 2 vols. (Oxford: Oxford University Press, 1998), ii, part 3.

⁶² Reinburg, 'Liturgy and laity', 542.

occurred in the first half of the seventeenth century, while only one belongs to the late fifteenth century.⁶³ Some disputes over honour might lead to many deaths. The blood feud that erupted at the close of the sixteenth century between the Lizet and Montclar over the honours of the church of Meallet in the Auvergne claimed the lives of three Lizet men in duels.⁶⁴ Four men died in a battle in 1624 between the lieutenant of Jametz and a coalition of opponents over honorific rights to the church of Ancemont.⁶⁵ No wonder the curé of Rouville in the Cotentin claimed the right during the height of the Wars of Religion to say mass booted and spurred with a pistol and, demonstrating his noble status and thus authority, with a sparrowhawk on the altar.⁶⁶

The honorific value of pre-eminence at mass is illustrated in the letters of remission issued to Sulpice de la Celle in December 1535 who claimed that 'as seigneurs of Genssay in Poitou the la Celle are and have been reputed since ancient times to be the founder of the parish church of Des Chesaux and as a sign of this have their pews and their tombs in the most eminent places in the church and provide and distribute the bread and wine at Easter for those receiving our blessed redeemer Jesus [Christ], and they distribute every Sunday the consecrated bread that is given to the church'. La Celle complained that a new priest usurped this traditional arrangement one Sunday, craftily holding mass earlier, arranging for his own brother to distribute the consecrated bread. The following Sunday la Celle admitted interrupting the priest as he consecrated the bread, taking a morsel for himself and distributing the rest to the congregation. La Celle liked to present himself as a devout man—before attacking his enemy in the chapel of Saint-Tropez the following day he went to the church, 'anointed himself with holy water and said his devotions'—presumably seeking supernatural protection in the coming struggle.⁶⁷

The offertory, however, was not the only contentious issue in the mass. In the church of Lucé in 1665 the sacristan distributing the consecrated bread to the departing congregation was brushed aside by Pierre Rambault: 'By God's blood! I won't fucking touch what he [Charles Joubert] has given to you.'⁶⁸ Rigaud de Tournemire 'beat those who presented the pax board to members of the house of Anjony for the kiss of peace'.⁶⁹ On the feast of Saint-Gervais in 1520 Claude de Bigny's wife had already argued with Claude Duchasteau about the offertory when they began to quarrel over who had the right to kiss the pax board first. As a woman, she was expected to rank below the men, but presumably she was claiming

⁶³ For violence arising from pre-eminence disputes not discussed or footnoted below: AN JJ 239 fos. 17, 18, Mar. 1526; AD Cantal, Fonds de Comblat, 2 Jan. 1594, 8 June 1594; M. Boudet, *La justice et la police prévôtales* (Riom: Jovret, 1902), 70; BN MS Fr 21810 fo. 31, 3 Feb. 1612; 3585 fo. 111, 29 May 1629. Female disputants are discussed in Chapter 10.

⁶⁴ J.-B. Bouillet, *Nobiliaire d'Auvergne*, 7 vols. (Clermont-Ferrand, 1846–53), iv. 468.

⁶⁵ Godins de Souhesmes, *Étude sur la criminalité*, 181.

⁶⁶ T. Martel, *Julien et Marguerite de Ravalet, 1582–1603* (Paris: Alphonse Lemerre, 1920), 54.

⁶⁷ AN JJ 248 fo. 170, Dec. 1535.

⁶⁸ BN Morel de Thoisy 381 fo. 276, 23 Aug. 1665.

⁶⁹ Grand, *Anjony*, 73.

to act on her husband's behalf. They had to be separated by the congregation. Bigny was frank in his letters of remission, responding to a neighbour's question whether he was 'at war' with the affirmation 'you are aware of the insults that he gives me every day'. Bigny finally took his revenge on All Saints Day.⁷⁰

Any admission of sacrilege was likely to do a supplicant harm and, despite his high status, Bigny had difficulty registering his letters; they had to be substantially rewritten before the Parlement of Paris finally accepted them in 1536. Four other letters were issued to men implicated in precedence disputes by the royal chancery in 1535–7, and may reflect the heightened sensitivity to the issue of sacrilegious crime in the wake of the religious tensions in Paris between conservatives and evangelicals, during which a number of Protestants were burned. Jean de Serrurier's letters were contested by his victims' family in court in May 1536, charged as he was with 'several of the most inhuman and execrable cases of homicide and assault that were ever committed'. He had quarrelled with Pierre de la Boullaye about the offertory in the church of Vitray at Pentecost. During Corpus Christi mass in 1529 he had entered the church with a large number of men, hitting la Boullaye and taunting him 'if I were to kill you, you have only two sisters as heirs whom I would soon be able to accord with. But if you kill me I have children who will take revenge.' The whole parish was in uproar: the Serrurier attacked a parishioner they accused of supporting their enemy and then the rival clans exchanged shots. On the following day both families arrived at church heavily armed. While mass was being said the la Boullaye, one of whom had a crossbow, moved from the font to a position beneath the crucifix where the Serrurier had to process to make the offertory, saying to Jean de Serrurier 'do you wish to fight beneath the crucifix? Tell your men to withdraw.' Which side drew their swords first was disputed but the circumstantial evidence is clear: la Boullaye died from his wounds, one of his men had a hand hacked off and another was killed by a crossbow bolt.⁷¹

That the Parlement of Paris was more than usually concerned with sacrilegious crime at this time is confirmed by the letters of remission issued to Marin de Saint-Quentin who, in September 1536, quarrelled in the church of Rahay with Pierre de Verdelay, jostling the sacristan to get at the consecrated bread and water first. Verdelay was later killed in a duel.⁷² Both Serrurier and Saint-Quentin had problems registering their letters at the local courts and their victims' families successfully appealed their respective cases to the Parlement. Saint-Quentin was 'for a long time molested and put upon' for omissions he made in his original tale. Jean de Serrurier died in the prison of the conciergerie in Paris. His son, Gauvain, escaped after three years of incarceration. In August 1552, in a more relaxed atmosphere, Gauvain and Saint-Quentin were issued with revised letters of remission addressed directly to the Parlement. The absence of letters of remission from the fifteenth century arising from prerogative disputes does not imply that

⁷⁰ AN X2a 86, 4 Dec. 1535.

⁷¹ AN X2a 87, 6 May 1536; JJ 253/2 fo. 35^v, July 1538; 261 fo. 271, Aug. 1552.

⁷² AN JJ 249/1 fo. 124, Sept. 1536; 261 fo. 249^v Aug. 1552.

no problem existed. Disputes lasted for decades. Jean Gallet has traced the various disputes over honours between rival seigneurs in the church of Baden in Brittany, which began before 1464 and lasted until 1756.⁷³ The growing fashion for duelling in the sixteenth century may however have made such disputes more deadly. One of the most outrageous sacrilegious acts occurred in the seventeenth century. For forty-two years the Retz de Trelans and the Nogaret de Trelans contested the barony of Trelans in the courts of Toulouse. By the 1640s this had turned bloody: Pierre de Retz and his son François had death sentences issued against them in 1650, 1653, 1655, and 1666. But it was their enemy, the Nogaret, who got to them before the officers of the law, killing them and twenty of their followers, justifying it on the grounds that they were outlaws condemned of multiple crimes, but principally for 'impieties' committed by them on Saint Laurence's Day 1663. Pierre and François de Retz had 'removed the priest of Trelans from the altar while he was celebrating Holy Mass and took his vestments and attached them to the battlements of the château, leaving them there the whole day long.'⁷⁴

Sacrilegious crime troubled contemporaries greatly in the wake of religious schism, but the chaos of the Wars of Religion made policing difficult. While the Catholic revival of the first half of the seventeenth century did not immediately make for better ordered congregations, it made the suppression of violence in churches imperative. In the 1640s men were still killing each other for the sake of honours in the parish church.⁷⁵

While noise is the cause of most neighbourly disputes today it was a no less common and irksome corollary of dissension in the past. Bells marked sacred time. Rung inappropriately they could not only disrupt a private service but added a sacrilegious dimension to existing disputes. Jean de Monceau certainly believed that the bells of Montgermont church were rung for the whole of Easter Sunday by order of his enemy 'to cause him discomfort and annoyance'. When Monceau went to mass he stopped the bell-ringing but his enemy was resourceful and started beating a drum 'even though this was only customary on All Souls Day'.⁷⁶ Lacking the sources of Alain Corbin in his evocation of the uses and meanings of village bells in the nineteenth century, we can only imagine the disputes that occurred during the Old Regime over 'the power to decide when bells were to be rung and when they were to remain silent during rites of passage'.⁷⁷ Bell-ringing was an especially contentious issue among divided urban communities during the Wars of Religion: in the knowledge that Protestants found them offensive Catholics used bells to great effect. It is safe to infer that in rural areas

⁷³ J. Gallet, 'Recherches sur la seigneurie: procès pour des prééminences d'églises à Baden (1464–1756)', *Bulletin de la Société Polymathique du Morbihan* (1973), 181–202.

⁷⁴ AD Haute-Garonne B 92 M, fo. 142, 27 Oct. 1666.

⁷⁵ AN X2b AN X2b 1223, 17 Mar. 1645; 1229, 29 July 1649.

⁷⁶ AN JJ 245 fo. 106, June 1530.

⁷⁷ A. Corbin, *Village Bells: Sound and Meaning in the Nineteenth-Century French Countryside*, trans. Martin Thom (London: Papermac, 1998), 254.

with a high proportion of Calvinist gentry similar antagonisms exacerbated cleavages in the local notability. Evidence for the vindictive use of noise in a feud comes from the Auvergne, where the complex and bloody dispute between the Delpuech and the Pestels over honours in the church of Saint-Cernin was temporarily compacted by the provincial governor in 1603. When Delpuech wished to bury his wife on the village feast day he asked the inhabitants not to play drums as accustomed out of 'courtesy'. But the villagers refused to obey and Delpuech broke the drums and beat the drummers. Were the Pestels complicit in the cacophony? Accords are usually bland, smoothing over issues of fault and intent. Pestels viewed the burial as an attack on his rights, especially as the funeral cortege had passed within some feet of the tombs of his ancestors without his permission, and he hurried to the church where he vented his anger on his enemy's pew and mortuary hangings.⁷⁸

DEATH AND BURIAL

That traditional religion was a cult of the living in the service of the dead has become a historical truism. The honour code contributed to Catholicism's reverence for the dead. Kinship ties were not severed by death, and the living were not only obliged to pray for the souls of the departed but to memorialize the deeds and revere the memory of their ancestors. Disputes over death and burial rites were often, as in the case of the Auber-Espinay case, an extension of wider conflicts over precedence. Let us return to the letters of remission of Jean de Serrurier contested by his victim's heirs in 1536. Three or four days after Pierre de la Boullaye had been killed he was buried in the church where he had been mortally wounded. It was claimed that Serrurier disinterred the corpse and exposed the body in front of his retinue, and that it was left for a number of days while children played around its decomposing flesh. This is too heinous a charge to be mere invention. The display of the corpse was a fate that awaited the executed criminal in early modern France, but the origins of this ritual are much older. In early medieval Europe 'it was vital to proclaim the legitimacy of vengeance killing by making it public'.⁷⁹

There is detailed evidence however from eight cases, ranging from 1484 to 1650, to suggest that the Serrurier case was not unique and that conflicts over burial are a separate sub-genre, requiring further analysis.⁸⁰ In 1483, for example, the Goupilières were in dispute with the Moreau over the church of Saint-Hilaire-le-Lierru in the Maine. When Jean Moreau died and was buried on All Saints Day in the nave there seemed to be no problem, but on the Sunday before Christmas the family disinterred the corpse and removed it to the chancel beside the great altar

⁷⁸ BN MS Fr 21811 fo. 127, 13 Nov. 1603.

⁷⁹ G. Halsall, 'Reflections on early medieval violence: the example of the "Blood Feud"', *Memoria y Civilización*, 2 (1999), 14.

⁸⁰ For example: AN JJ 236/2 fo. 7, Jan. 1565.

and the ancestors of the Goupilières. This was too much for Guillaume and Petit-Jean de Goupilières who, on the Sunday before Easter, dug up the offending corpse and reburied it in a wood near the church. Guillaume soon realized that burial in unconsecrated ground was a disproportionate act of revenge and 'realizing that this was a bad deed and seeing that his conscience would be burdened for having done it' six weeks later he returned to the grave and removed the body to the cemetery.⁸¹ Once a burial dispute had occurred there was every possibility that latent animosities left unpacified would resurface. For twelve or fifteen years the opposition of the patron of Pouzy in the Bourbonnais to the burial of his uncle had rankled with Charles de Chuys, so when his aunt and her child died he buried them, in the absence of the patron, in a more fitting place. After mass at Corpus Christ 1565 Chuys was killed by his neighbour in a duel.⁸²

The right to construct a funeral girdle on the walls of the church was restricted. In 1500 this right was claimed by the Saint-Julien family 'principal founders of the church of Saint-Julien at present called Saint-Vaury [Marche] in which church a black girdle on which the arms of the said Saint-Julien are placed when one of them dies, and which has been in their possession for two hundred years'. When they prevented the Piedieu from doing likewise a feud began. They complained that the Piedieu fired artillery at their residence, effaced their arms, and 'smashed up an altar on which hung a portrait of their father, cutting off the head of the portrait and leaving it hanging from the altar'. On 12 June 1500 the two clans fought a battle near Guéret.⁸³

These sorts of disputes continued into the seventeenth century.⁸⁴ Louis de Belloy had been in an increasingly violent dispute with his neighbour, Gaspard Verdelot, *bailli* and governor of Provins, for at least six years when he was interrogated by the judges of the Parlement of Paris in 1650.⁸⁵ Verdelot held five-sixths of the barony of Surveilliers but had difficulty asserting his rights over justice, the hunt, and the parish church in the face of opposition from his neighbour. On New Year's Eve 1644 Madeleine de Strozzi, Verdelot's wife, was in the church supervising the painting and hanging of a funeral girdle in honour of her father-in-law. Belloy complained that in doing so Strozzi had 'effaced' his grandfather's arms 'and in their place put those of the seigneur de Verdelot, principally on the pillars of the church and that there was no gap between the girdle of the dame de Verdelot that she had just put up in the church and those of his ancestors placed there forty-two years ago'. The ownership of space in the church was paramount. The ancestors of the Verdelot were buried in another part of the church and it was unreasonable that their arms were now marking out new space for conquest. Strozzi had not literally effaced his arms for it is clear that the two families had a

⁸¹ AN JJ 210 fo. 168, Mar. 1484.

⁸² AN JJ 263 fo. 116^v, Mar. 1566.

⁸³ AN JJ 234 fo. 26, Aug. 1500.

⁸⁴ See for example Roffignac *v.* Saint-Exupéry in the Limousin: J.-B. Champeval, *Dictionnaire des familles nobles et notables de la Corrèze*, 2 vols. (Tulle: Mazeyrie, 1911–13), i. 343.

⁸⁵ AN X2b 1231, 18 Jan. 1650.

lawsuit at Senlis over the precise distance that should be kept between the rival escutcheons (put by the magistrates of the Parlement at three arm-lengths and two feet). On the Feast of Kings 1645 Belloy entered the church during mass with his two brothers, strode up to the chancel, and smashed the arms of his enemy. He pleaded in defence that the curé was not at all put out and also admitted ordering the destruction of a wall around the church which Strozzi had built to keep him and his men out.

Why did Belloy admit to doing this in full view of the priest and the congregation? Why did he not do it in secret at night and avoid accusations of sacrilege? The answer lay in the public nature of vindications of honour or acts of vengeance. Belloy was a man of honour and had nothing to fear from demonstrating the righteousness of his cause and of righting a wrong publicly. Clearly, he was making a statement about dominion in the barony of Surveilliers.

CONCLUSION

Honours and prerogatives should not be disaggregated from one another for, as these case studies show, the struggle for precedence was fought on many levels, in which the busy liturgical calendar and finite space of the parish church provided many opportunities for conflict and revenge. However, contemporaries were aware that the stakes over control of churches were higher than in disputes over other rights. Violence against the person or against church furniture was more likely to provoke the authorities if an offence had overtones of sacrilege. This did not prevent churches being a major site of violence and even killing.

Precedence disputes were more usually fought in the courts and at some stage in the seventeenth century violence against persons and property in church abated. Greater reverence for the dignity of the priesthood and of sacred space played an important role in this transformation, though quantifying this will require much more detailed archival research. It is likely that there was a great deal of local variation. In Brittany, where this chapter started, Paul de Montboucher was lamenting a situation where there was a much higher percentage of nobles, and poor ones at that, than elsewhere in France. Since they had less with which to prove their status did their honorific rights mean more to them than to the rich country squires of Upper Normandy and Picardy? All we can say is that Brittany features these disputes in the last decade of the seventeenth century. In December 1692 the seigneur de Queralbaud, tired of fifty years of lawsuits over the honours of the church of Baden, set about over twelve days rearranging its façade and interior to suit his taste with hammers, axes and scissors, removing arms, repainting others, covering others with lime.⁸⁶ Masons set to work carving his arms. Finally, he smashed the most offensive escutcheon, that of the comte de Largouët, on

⁸⁶ Gallet, 'Procès pour des prééminences d'églises', 197–201.

the village gallows. This dispute was as much about the rights of justice and Queralbaud's act was symbolic of his double pretension, as both patron and lord. Perhaps what is most significant about this episode is that, although the village was divided between camps and despite the very public damage to Largouët's honour, no one felt it was an event worth spilling blood for. In 1713 the king's council judged on appeal the case in favour of Queralbaud who had been able to show that he was not Largouët's vassal and that he held his fief directly from the king. Jean Gallet concludes that conflicts over pre-eminence in church were an extension of struggles for power: the Queralbaud had been rising for a century and were struggling to free themselves from their overlords. Also of significance is the reach of the royal council into Lower Brittany by the eighteenth century. But a decision was not imposed from outside; it was solicited by a local man, deploying determination and resourcefulness. Both he and the crown, which was henceforward the direct suzerain, benefited at the expense of the count.

4

Escalation: From Verbal Duel to Vindictory Exchange

Feud is often used as a convenient shorthand for its most violent manifestation, the vengeance killing. Feuding was, however, concerned as much with lawsuits and arbitration as with bloodletting. Crucial to modern understandings of the feud has been the relationship of hostility between rival groupings that was characterized by exchanges of defiance, antagonism, and coldness that escalated over time into public insults and attacks on property. Exchanges were governed by a notion of score keeping, by a rhythm in which each challenge required a riposte of rough equivalence. Feuding did not necessarily involve bloodshed between the parties: a response had to be carefully considered, balancing the obligation to repair an injury against the implications of excessive force. The sense that each clan or kinship grouping had collective liability for the actions of a wrongdoer meant that tenants and servants were especially tempting targets for those who wished to exact revenge without perpetrating a heinous crime.

INSULT

Honour was public property and reputation determined status. Words had the power to shape reputation, so nobles were highly sensitive to anything said about them in public or to rumours about their conduct. Yet even spontaneous quarrels ‘could easily take on the quality of performances’, which were accompanied by a variety of insulting gestures.¹ My purpose here is not to add to the already rich body of work on the social significance of insult but to describe its role in the narrative of dispute.

In early modern Italy verbal duelling seems to have been much more common than combat with swords, whereas in France oral exchanges developed much more easily into a challenge to combat; as a popular purveyor of true crimes put it, ‘life and death depend on the tongue’.² Admonishment of an enemy lost much of

¹ P. Burke, *The Historical Anthropology of Early Modern Italy* (Cambridge: Cambridge University Press, 1987), 97.

² D. Weinstein, ‘Fighting or flyting? Verbal duelling in mid-sixteenth-century Italy’, in T. Dean and K. Lowe (eds.), *Crime, Society and the Law in Renaissance Italy* (Cambridge: Cambridge University Press, 1994); F. Rosset, *Les Histoires tragiques de nostre temps* (Rouen, 1620), 2.

its purpose if done in private, and the presence of spectators guaranteed that verbal duelling followed by a few punches did not degenerate into anything more serious. Insults were not necessarily verbal: Gaspard de l'Estaing was ambushed by five men in a dispute emanating from 'some lampoons'.³ Nor was wit an innocent weapon: underpinning the exchange between Caylus and Bussy d'Amboise, reported by the English ambassador in 1578, were the bloody factional cleavages at the court of Henri III:

Quaylus passing by Bussy, said unto him: farewell, my captain, Bussy answered, farewell my soldier.—I meant (saith Quaylus), captain of bougers.—You shall then be my lieutenant or enseign-bearer, saith Bussy.—It is nothing so, saith Quaylus.—Thou hast lied, saith Bussy.—You think, said Quaylus, that you are the goodliest personage in all this court, but there are others as goodly as you.—Thou hast lied, saith Bussy.—Thou art a fool, saith Quaylus.—Thou hast lied, saith Bussy, and they drew into companies.⁴

Many disputes between noblemen arose over accounts of what had been said during an argument or over rumours of what someone had said behind their back.⁵ Unless a third party intervened the only way to establish the truth was by a resort to violence. Even when a vigorous denial was made, the rumour was often sufficient to provoke an attack.⁶ The lexicon of the verbal exchange was metaphoric, mirroring that of combat: a wrong or insult (*injure*) wounded (*blessé*) honour and required satisfaction (*réparation*). Words or gestures are the initial instruments of violence, intimidating and provoking. In pardon tales blaspheming indicates malice and premeditation.

Contemporaries were divided over the relationship between words and action. La Beraudière felt that quarrels over superficial things might hide deep causes, and arbiters were urged to investigate the hidden causes of insults.⁷ Chabans, revealing neo-stoic sentiments, thought that quarrels do not arise from issues of honour but from uncontrolled anger and the quickness to insult.⁸ These arguments are not mutually exclusive. There is evidence to suggest that insults were the result of both long-standing animosities and of sudden flashes of passion. We shall need to distinguish between *querelles d'allemand* (frivolous quarrels) and provocative insults, of which the most serious was to give someone the lie (*démenti*). The former were dangerously frequent even between princes as the *Mercurie françois* noted in 1606: 'During this time the princes and the peers of France sent each other summonses to cut each other's throats. When one found them alone in a field because of a frivolous quarrel, for having hit a coachman, whipped a page, or for an indiscreet word . . . one could not believe that it was true.'⁹

³ AN X2b 1182, 8 and 18 Oct. 1614.

⁴ Quoted in L. Mouton, *Bussy d'Amboise et Madame de Montsoreau d'après des documents inédits* (Paris: Hachette, 1912), 155 n. 1. For a duel emanating from a joke: AN JJ 236 fo. 44^v, Mar. 1523.

⁵ For example: AN JJ 253/1 fo. 27^v, Jan. 1539; 262/2 fo. 336^v, Oct. 1552.

⁶ AN JJ 240 fo. 251^v, June 1527.

⁷ Beraudière, *Combat*, 123.

⁸ Chabans, *Advis*, 27.

⁹ *Mercurie*, i. 101.

Insults which impugned the reputation or antecedence of an opponent were sure to provoke a response: Guillaume de Morainvilliers, *bailli* and captain of Mantes, was in dispute with a neighbour, François des Fosse, whom he accused of killing his uncle and of being a vexatious litigant. On 5 April 1525 Morainvilliers surprised des Fosse in the tavern at Éponne, and giving him the lie he proclaimed his behaviour highly insulting 'since your ancestors were raised in my household, and some were my procurators, and others rent collectors'. This provoked des Fosse into the street, where he was cut down by Morainvilliers's gang. The *bailli's* letters of remission also failed to give des Fosse his due, failing to mention that he was an esquire and *sieur de Bréval*.¹⁰ Though pardon tales played on contemporary prejudices—the supplicant's reputation and military career were highlighted and the status of the victim denigrated—the sting of an insult from a man one perceived to be of lower status was a very real feeling. The injurious words said by André de Sauvignac's enemy to his brother were magnified because he was a mere 'vilain' and therefore stained the honour of the whole Sauvignac family.¹¹ This emphasis on defending the family name and the honour of the lineage shows that insults were not merely personal, and reveals that what in the documents looks like a conflict between individuals in fact implicated rival kindreds.

Rarely forgotten, insults propel the feud. The fight between two retainers at the fair of Saint-Billy in Brittany, in which the *sieur de Guernestre* was killed, was due to words said three years previously.¹² And verbal duelling was often symptomatic of deep-seated antagonisms, in which intemperate language was not merely a form of ritual exchange but articulated years of accumulated feelings and emotions.¹³ Maintaining a discreet distance from your enemy was not always possible; when you crossed him, the wrong word or gesture, conscious or unconscious, was likely to have bloody consequences. The quarrel between the Brécéy and the Nourry which occurred at a hunt in 1613 'is to be explained', Hector de Nourry said, 'by a public dissension [*mésintelligence*] between the seigneurs', which we can trace back at least twenty-five years.¹⁴ Litigation was the source of many verbal affronts. The lawsuit between Balthazar de Gadagne and the comte de Charlus had only just been settled by the duc de Nevers when the two men passed each other by chance in July 1611. Charlus did not deign to greet his enemy, merely saying, 'There is the *sieur de Champroux* who is going to sleep at his lodging at Malataverne!', a pun that signified a place of ill-repute, before disdainfully turning his head. Gadagne could only grind his teeth at this affront as his enemy had a much larger following.¹⁵

In many cases no prehistory for an insult can be traced; they were simply challenges in their own right with the intention of provoking a response. High

¹⁰ AN JJ 238 fo. 92^v, 11 May 1525.

¹¹ AN JJ 240 fo. 271^v, June 1527.

¹² AN JJ 259 fo. 15^v, Jan. 1549.

¹³ Bonnaulx ambushed and killed his man as he fled in June 1567: AN JJ 265 fo. 206, Oct. 1567.

¹⁴ Floquet, i. 503.

¹⁵ L. Vignon, *La Vendetta des Gadagne* (Saint-Just-la Pendue: Chirat, 1975), 14.

death rates among the elites of early modern France are partly explained by the ease with which gentlemen resorted to the duel in order to settle the most banal arguments and prove they were men of honour. Duels over slights and slurs were common, but there were other ways of responding to an insult. In 1573 Claude de Saint-Vincent was on bad terms with the mayor of Jouy in the duchy of Lorraine who had said 'that he was no more a gentleman than his dog, and that if he was a gentleman it was through the loins of his mother'. Saint-Vincent ambushed his enemy in a wood and subjected him to a vicious assault which left him dead.¹⁶ Pilgrims outside the church of Condat were caught up in a *mêlée* between two retinues in July 1531 when the seigneur de Ramades shouted, 'Look there! There's the one who said I was begotten by valets!'¹⁷ In the 1650s a royal lieutenant in the Bourbonnais ransacked the property of those he felt had insulted him.¹⁸

Alternatively, reparation was available through the mediation of a third party, or by recourse to the courts, though in practice none of the responses to an insult, violent or otherwise, was mutually exclusive, the balance depending on the nature of the offence, the status of the parties, and the pressures brought to bear by friends and kin. The contrasting styles of two Norman contemporaries, Antoine de Gaudechart and Gilles de Gouberville, reveals the human dimension in these choices. Gaudechart was 25 when he received letters of remission in 1529 for a catalogue of crimes. He seems to have gone to Chaumont-en-Vexin one day with the intention of picking a quarrel with everyone he met: Pierre Fourbeur was assaulted for calling him a boozier; he quarrelled with his brother-in-law over a lawsuit; punched a brewer for speaking ill of him; and finally got involved in an argument which led to the (non-fatal) shooting of a miller. Sometime later he quarrelled with his wife and the judge of Chaumont. Two months before the letters of remission were issued he had slashed the buttocks of an image maker with his sword, and he subsequently fired an arquebus at a carpenter and his wife who had also called him a drunkard. Gaudechart's quarrelsomeness only came to light because he was disruptive and antisocial, and his numerous enemies, who included his own kin, took him to court.¹⁹

Gilles de Gouberville had no qualms about administering corporal punishment to his tenants, but this was conducted within the normative lord-peasant relations, in which legitimate and limited violence was accepted. He himself was touched by violence. His brother Louis was involved in the murder of a prior in 1544 and condemned to death *in absentia* two years later; in 1545 someone tried to kill Gilles with an arquebus; in 1554 he recorded how his other brother had sworn 'that by God's death he would kill me at the first opportunity'; in 1557 his cousin was attacked during a church service; and in 1575 another cousin,

¹⁶ Godins de Souhesmes, *Étude sur la criminalité*, 97.

¹⁷ AN JJ 246 fo. 6, July 1531.

¹⁸ Esperit Fléchier, *Mémoires sur les grands jours d'Auvergne en 1665*, ed. F. Dauphin (Paris: Jonquières, 1930), 224–5.

¹⁹ AN JJ 244 fo. 74^v, Feb. 1529. He was also accused of rape.

Noël, was murdered.²⁰ Gilles avoided violent responses to provocation, however: he was a good Christian. In December 1555 the vicomte of Valognes insulted him and gave him the lie. 'I was very angry with this folly yesterday,' he tells us in his diary, and so he travelled to Saint-Lô to consult his lawyer.²¹ On All Souls Day 1562 as he entered the assize court in Valognes, where he was a judge of the royal forests and waterways, he saw two men arguing. 'I told [Thomas] Juez to be quiet or I would fine him 50 *sous* and that he should let me pass. He replied to me with great arrogance: "I will not keep quiet here." ' Gouberville fined him and said 'that if he did not hold his peace it would double.' Juez replied [untruthfully] 'I will appeal and accuse you of having been at the pillaging and sacking of churches [by the Protestants]. I will seek the help of the people. I will prove it against you.' This was a serious accusation in the heated religious atmosphere of the time and demonstrates how easily an exchange could escalate with counter-charges and insults. Gouberville immediately took two bystanders as witness to the event. He did not let the quarrel fester and the next day travelled to see Juez's uncle, captain of Cherbourg, begging him to do justice. Gouberville recorded his response: 'there was nothing he could do and that I should pursue that matter according to wise counsel.' It is possible that this advice was an implicit threat. Nevertheless, Gouberville's resignation reveals something usually missing in our documents: it was possible to turn one's cheek. On the other hand, slander among the gentry was successfully punished in the courts and harsh judgements confirmed on appeal by the Parlements: Edme de Moujon was sentenced to three years in the galleys for insults in 1605; Charles de Maillard was banished from Paris and the Brie and fined 625 *livres* for insults and infractions in 1611; Michel Dubois was banished from Montargis in 1629 for a year and ordered to pay a yeoman farmer 30 *livres* for insulting him.²²

Inappropriate gestures breached courtesy, were provocative, and were likely to cause offence. When a certain Deslandes entered the chambers of a councillor of the Parlement who was to broker a settlement, he found his enemy already there. As custom required Deslandes removed his hat but Duplessis-Châtillon failed to do so immediately, 'soon after raising his hat only a little', saying, 'what chicanery have you done to me; you are suggesting a settlement made by default.' The failure to raise his hat sufficiently announced the affront and the ensuing fight spilled into the street, where Deslandes was wounded in the face.²³ In the sixteenth century mockery was still closely associated with the traditions of popular culture. In 1532 Jacques de Beaumanoir told Nicolas de Cluhunault:

never come near me again for I do not like you being here . . . Since I did you the honour of marrying my first cousin, the eldest daughter of the Coëtquen, which is the greatest

²⁰ Gilles de Gouberville, 'Journal pour les années 1549, 1550, 1551, 1552', *Mémoires de la Société des Antiquaires de Normandie*, 32 (1895), 26, 255; *Journal*, ed. E. Robillard de Beaurepaire, 2 vols. (Caen, 1892), i. 381, 423.

²¹ Gouberville, *Journal*, i. 879.

²² APP AB 17 fo. 142, 5 July 1605; 20 fo. 166^v, 19 Oct. 1611; 29 fo. 98, 19 Apr. 1629.

²³ AN X2b 1212, 13 Aug. 1640.

honour that has ever happened to you, you were part of the company who mortally hate me and who came in mummers masks at night to mock and insult me.

At which both sides drew their swords.²⁴ Philippe de Champignolles not only had to put up with the scandalous songs that Louis de Chandio sang about him during an assembly of the nobility of the county of Nevers in 1530; Chandio also joked that Champignolles had 'spoken to a soothsayer who had told him that the first man he fought would kill him stone dead, which was [said] only to mock him and to let it be known that he would not dare to accept combat for fear of being killed'. Champignolles admitted that he had been to the fortune-teller, but when his companion began to laugh the exchange escalated into a sword fight in which Chandio was killed.²⁵ As late as 1638 the seigneur de Boissat took advantage of the liberty of carnival to dress up as wise woman, carrying the placard 'there is no one wiser than me', and insulted the comtesse de Sault, for which he received a thrashing from her lackeys.²⁶

Issuing a writ or summons was in itself a challenge. Louis Boquion shot and killed his enemy in 1645 out of 'mortal hatred', interpreting a sequestration order against his property as an outrage (*injure*).²⁷ Indeed, anything written or published that infringed one's honour was likely to be denounced as a 'defamatory libel'.²⁸ Before silent reading became the norm private letters were read aloud to the recipient, so a written insult constituted a public affront. In 1458 Odard de Pompadour conceded that he had been wrong to 'write and publish [*publier*] . . . so rigorous a letter' to his enemy.²⁹ Whereas reported words are more easily denied and more easily reconciled, written documents provided proof of intent. Duelling cartels had the purpose of recording a challenge, but they also set down the reasons behind it. Madeleine de Puyguyon and Jarnac her husband demanded of Henri II 'reparation of honour for certain scandalous and insulting writings by [François de] Vivonne in a cartel presented to the former king against the honour of the said lady'.³⁰ Letters between noblemen maintained amity through reciprocal exchanges of courtesy, and the absence of the appropriate epistolary conventions was regarded as provocative. In December 1529 Gabriel Martel was furious at the 'odious letters indicative of hatred' written by Robert de Signy, who refused to retract and was struck down by Martel and his men.³¹ The printing revolution ensured that quarrels were conducted in a new idiom. Rabelais's foregrounding of his quarrel with the Sainte-Marthe in the pages of *Gargantua* rebounded on him in a vicious attack, the *Theotimus* (1549). The Sainte-Marthe, quasi-Protestants, made common cause with conservative

²⁴ AN JJ 246 fo. 58, Mar. 1532.

²⁵ AN JJ 245/2 fo. 3, Jan. 1530.

²⁶ M. Cuenin, *Le Duel sous l'Ancien Régime* (Paris: Presses de la Renaissance, 1982), 112.

²⁷ BN NA Fr 21708 fo. 135, June 1654.

²⁸ AN X2a 1395, 24 Jan. 1587; *Inventaire des arrêts du conseil privé*, 13 Feb. 1609.

²⁹ BN MS Clairambault 901 fo. 123, 10 May 1458.

³⁰ BN MS Fr 7241 fo. 232, 11 June 1547.

³¹ AN JJ 245 fo. 15^v, Dec 1529, JJ 246 fo. 79^v.

Catholics against a man whom they both agreed was an 'atheist' and 'Epicurean'.³² Schism sharpened the pen as well as the sword: Protestants were particularly adept at getting even with their enemies in print.³³

It is often pointed out that insults are gender specific: men's honour and status were impugned; women's sexual propriety questioned.³⁴ While it is not possible to confirm this in a statistical analysis of our sources, the types of words exchanged between gentlemen blur this neat distinction. As we saw in an earlier chapter the boundaries of honour were shaped by constant challenges and counter-challenges. Insults were formulated to provoke those uneasy about their social status, from the banal *villain*, 'villein' or 'base' (11 instances), to the more inventive *gentilhomme du Pont au Change* 'market-place gentleman'.³⁵ In verbal exchanges between gentlemen before an act of physical violence the imputation of honour with words such as *lâche* 'coward' (3 instances) and *traître* 'traitor' (5) was relatively uncommon, suggesting the respect accorded to chivalric conventions that reciprocally recognized valour. The word 'coward' was more commonly used as a moral category by someone to shame a kinsman into action. The vast majority of insults exchanged between gentlemen before the shedding of blood denigrated the status of the opponent, employing words such as *coquin* 'scoundrel' (19 instances), *poltron* 'knave' (16), *maraud* 'rogue' (4), *gueux* 'beggar' (2), *baboin* 'crafty knave' (2), and *canaille* 'rascal' (1), or they were identified as base—hangman, peasant, petty clerk, carter, and butcher all appear once in the sources as terms of abuse. Another category comprised various terms for 'fool': *fol* (6), *sot* and *sottine* (5), *bouffon* (1). That other common contemporary insult *larron* 'felon' (3 instances) was more commonly applied to lackeys and servants.³⁶ Likewise, *foutre* 'fuck' (4 instances) and *connard* 'arsehole' (1) were much less common in the context we are concerned with.

A smaller category of slanders covered moral and sexual conduct; these included *méchant* 'wicked' (8), *fils de putain* 'son of a whore' (6), *ribaud* 'whoremonger' (4), and *paillard* 'fornicator' (4). Of course, attacks on loose morality did not exclude them from at the same time being affronts to honour, and some insults had multiple meanings that reflected this. Cotgrave's 1611 dictionary translates *ribaud* as 'rogue', 'ruffian', 'scoundrel'; or as 'fornicator', 'bawdy-house haunter', 'tough whoresonne'. Perhaps more surprising were accusations of sodomy. *Bougre* 'bugger' appears twelve times in our sources. In 1696 Alexandre de Vivefay from Normandy conspired to kill Christophe Poisson, who had not only prevented him from 'pursuing revenge for the death of his father' but had had the temerity to call him a 'bugger' in public.³⁷ *Mignon* also had homosexual connotations.

³² A. Lefranc, *Rabelais: études sur Gargantua, Pantagruel, le Tiers livre* (Paris: A. Michel, 1953), 96–9.

³³ For Aubigné's revenge on marshal Fervaques: Agrippa d'Aubigné, *Sa vie à ses enfants*, ed. G. Schrenck (Paris: Société des Textes Françaises Modernes, 1986), 88–96; Aubigné, *Faeneste*, i. 91.

³⁴ L. Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Oxford University Press, 1996).

³⁵ AN X2b 1181, 31 Jan. 1611.

³⁶ One instance of the term *filou* 'crook': AN X2b 1211, 1 Sept. 1639.

³⁷ AD Seine-Maritime 1B 5431, 18 Feb. 1699.

When François Mosnart called Florent de Vermaultz 'un petit mignon' the latter gave him the lie but Mosnart refused to fight. Sometime later, on 12 April 1565, Mosnart was shot and killed by the Vermaultz clan.³⁸ In his letters of remission, Florent replied to the initial slur 'that [François] should not call him a *mignon* and that he is a gentleman and man of worth'. He suggests that his reputation as a man of honour rests on the public perception of his masculinity. A fleeting glimpse of the homosocial world of the man-at-arms is given by the letters of remission issued to Julien Henry; in 1550 he fought a duel with another member of the Admiral's gendarmerie company for, among other things, Henry's accusation that he was *une petite muguet*, an 'effeminate youngster'.³⁹

Male homosexuality was widespread and largely tolerated if it remained private. It was said of Henri IV's entourage: 'sodomy taketh there such free rein that one hastens to cover one's breeches.'⁴⁰ A public accusation of unnatural acts, on the other hand, was a challenge to a man's honour. We know of three such cases from the mid-sixteenth century, the most celebrated being the allegation of Jean du Plessis in 1538 against Gaucher de Dinteville 'that maliciously and cowardly you came on the last day of October to Savonnières accompanied by eight men and with three of them entered into my chamber with a sword in your hand and maliciously and by force forced me to sign the contrary to that which I had said, that twice when we were sleeping together you wanted to bugger me and do wicked things like you'.⁴¹ Du Plessis's challenge of combat with royal approval was issued as much to validate his word of honour as to incriminate his opponent. Moreover, the political context was important: that one of the Dinteville brothers was exposed to such accusation had much to do with their declining fortunes at court and the enmity of constable Montmorency. One suspects that a public accusation of sodomy against Gaucher de Dinteville would not have been uttered when his brother Jean was at the height of his power as ambassador to England, a moment captured by Holbein's famous painting of 1533.

More inventive types, such as Alexandre de Castellat, who was heard to say that the 'dame de Vaudrimont was a whore, that her children were bastards, and that she had had as many children after the death of her husband as a sow has piglets, and that she has had two children by a seigneur whom she had thrown out of the window into the gutter', went beyond mere name calling to construct an unflattering narrative of a life.⁴² Insults might display ethnic tensions. When Jean Maslon headed the offertory procession in the parish of La Chapelle in Poitou at Pentecost in 1473, Eustache Desgranges shouted 'base Breton' who 'would die by

³⁸ AN JJ 266 fo. 72^v, May 1568.

³⁹ AN JJ 260 fo. 151, Aug. 1550.

⁴⁰ Pierre de l'Estoile quoted in A. Cabantous, *Blasphemy: Impious Speech in the West from the Seventeenth to the Nineteenth Century*, trans. Eric Rauth (New York: Columbia University Press, 2002), 87.

⁴¹ BN MS Fr 21811 fo. 65^v; E. Brown, 'Sodomy, honor, treason, and exile: four documents concerning the Dinteville affair (1538–1539)', in J. Fouilleron, G. Le Thiec, and H. Michel (eds.), *Sociétés et idéologies des temps modernes: hommage à Arlette Jouanna*, 2 vols. (Montpellier: Université de Montpellier III, 1996); Brantôme, vi. 235–8, 278.

⁴² AN X2b 1201, 24 Apr. 1634.

his hand'.⁴³ Bretons gave as good as they got. In 1632 Pierre Griquet, from near Rennes, was asked by the magistrates of the Parlement of Paris 'Whether he had spoken to people about his brother-in-law and ever called him a "Norman", and other dirty and insulting words?'⁴⁴ Religious conflict naturally added to the lexicon of dispute: Antoine de Conflans drew his sword and attacked his enemy Regnault le Bossu in 1565, demanding to know if he had said that 'his sister was a fornicator and had had a child by a Minister of the reformed religion'.⁴⁵ When Jean de Longchamps surprised the valet of the sieur de Boissimon, a long-standing enemy, hunting near his house he was furious. The valet begged for his life. Longchamps let him go with the partridge he had caught: 'I do not do as your master; I only eat game on Saturdays.'⁴⁶ This insult 'redoubled' Boissimon's hatred when it was relayed to him, for he was a royalist, and Longchamps, a supporter of the Catholic League, was inferring that he did not observe the customary abstinence required of Catholics, that the lukewarm Catholic was the heretic's natural ally.

It is a commonplace that family honour in traditional societies was predicated upon female chastity. Consequently, verbal affronts against women are usually variants of sexual slander. In the few cases where women are active participants in our disputes this seems to be the case and the synonyms for whore predominate: *putain* (9 instances), *ribaulde* (3), and *paillardie* (2). But as Pitt-Rivers reminds us, bourgeois and peasant morality does not apply to nobles, and female chastity was less a determinant of family honour, at least for those at court and among the aristocracy. Those who were secure in their social status had less to fear from allegations of sexual immorality. The word 'whore' and its cognates were proffered as much to damage social status as an affront to sexual reputation. When Marie Belle was called 'old beast, old mummer, washerwoman' by the seigneur de Verdilly during the offertory procession in the church of Buc in July 1610, he was drawing attention to her alleged low status and her unworthiness to precede him.⁴⁷ We see both social and sexual reputation offended in 1529 when Gabriel Martel, after hitting Robert de Signy with his sword, turned to Signy's wife: 'that by God's blood he had really hurt him and heaped her with insults', calling her 'whore' (*ribaulde*) and 'old cross-bred bitch' (*vieille matiné*).⁴⁸

Martel's story appears in revised letters of remission in which he also admitted the heinous crime of blasphemy.⁴⁹ Likewise, Charles de Dampierre now admitted that he had charged his enemy shouting, 'In God's name! By God's blood! By God's death!' Along with God's entrails, his head, and his flesh, these were the most common ways of blaspheming. In verbal duels between nobles the saints, Mary, and Jesus, at least, seem to have been spared. Before the Wars of Religion an admission of blasphemy caused few problems for the supplicant for pardon, but the Reformation undoubtedly made judges more sensitive to the problem.

⁴³ AN X2a 39, 1 Aug. 1473.

⁴⁵ AN JJ 264 fo. 260, July 1566.

⁴⁷ AN X2b 1180, 10 Dec. 1610.

⁴⁹ AN JJ 246 fo. 58, Mar. 1532.

⁴⁴ AN X2b 1198, 13 July 1632.

⁴⁶ Floquet, ii. 442.

⁴⁸ AN JJ 245 fo. 15^v, Dec. 1529.

In 1634, while he was awaiting trial for duelling, Alexandre de Castellat found himself hauled unexpectedly before the judges of the Parlement for blaspheming while under arrest. His adversary had gathered many witness statements that attested to his powers as a blasphemer. Jean Morel, a baker, deposed that he had heard the accused blaspheme while they played cards together in prison.⁵⁰ In 1646 there followed the remarkable trial of the chevalier de Roquelaure, 'the greatest blasphemer in the world'.⁵¹ These prosecutions may reflect metropolitan values. The documentary evidence from the second half of the century in the Agenais shows that the ritual of blasphemous exchanges before violent confrontations among the notability remained the norm, and never incurred judicial penalties.⁵²

Moralists were quick to recognize the analogy between blasphemy and duelling. Blaspheming preceded and introduced violence, heralding the transgression of social and spiritual norms.⁵³ Inverting sacred values, blasphemy identifies the aggressor in our sources, since in our period it was 'increasingly regarded as a form of expression that automatically attended reprehensible acts'.⁵⁴ In her deposition of September 1639 Hélène Amand of Paris told a certain Desgranges 'that he should be wary of the seigneur de Saint-Pierre because he had denied God'. Likewise, Estienne Humbelot heard Alexandre de Castellat say that 'I deny God and take the devil for my master' before sending a challenge to his enemy and ordering his men to prepare an ambush.⁵⁵ The invocation of the devil carried with it associations with sorcery, but I have found only one instance of the word *sorcier* as insult and one instance of diabolic temptation to kill, both dating from the 1460s.⁵⁶ A most unusual case of blasphemy was however recorded in Poitou at the height of the Wars of Religion. Having abducted the daughter of Adam de Houdan in 1573, Jacques de Seyrac returned three years later for his 'dowry', seizing the baron's château and ransacking it. Failing to find anything of value he sent to Anjou for a sooth sayer to see if she could locate his father-in-law's plate. When Houdan remonstrated and urged him to consider his salvation 'he replied that God was sleeping and that he had not seen a jot and that he was a good man who was getting on (he was in fact twenty-five) and that it was time he married, and as for death he [and his men] did not fear it and were not troubled by what awaited them for when it was time for them to die they would mount a platform in the middle of the greatest plain of the region and call God on one side and the devil on the other, for if one would not take them the other would'.⁵⁷ Too bizarre to be pure invention, this speech defies easy interpretation, but it certainly lends support to contemporary moralists who saw the nobility as the principal source of impiety and libertinage.

⁵⁰ AN X2b 1201, 24 Apr. 1634.

⁵¹ AN X2b 1226, 10 Oct. 1646; Tallement des Réaux, v. 250.

⁵² Hanlon, 'Les Rituels de l'agression', 255.

⁵⁴ Cabantous, *Blasphemy*, 195.

⁵⁶ Guérin, 'Recueil des documents', p. xxiv. Grand Jean, an archer on the company of Crussol, confessed that 'the devil had led' him to kill a man-at-arms in a rival unit: AN JJ 199 fo. 137, 30 Dec. 1463.

⁵³ Billacois, *Le Duel*, 337–41.

⁵⁵ AN X2b 1201, 24 Apr. 1634.

⁵⁷ AN X2b 1176, 17 July 1585.

THREATS, INTIMIDATION, AND DISPLAYS OF FORCE

Insults are associated with threats, and in the context of a vengeance culture words cannot be dissociated from acts of force: 'The forcefulness of rhetoric is more than just an internal affair of language and signs; it is about power and violence.'⁵⁸ The French word *violence* describes an act of force but verbal threats were also called *violences*. The abuse heaped by the seigneur de Meurles on Charles de Sedières in 1619 'was so full of opprobrium that it was impossible to repeat to a person of honour'. Nevertheless, Sedières was able to divulge the mildest of them: 'that [Meurles] would mount his head on a scaffold and that he was a knave'. He considered this to be not simply words, but *violences* which justified an armed response.⁵⁹

Threats had a number of purposes: they were an affirmation that one was in enmity with one's neighbour and had no force unless issued publicly. Guillaume Vipart was troubled by threats to kill him 'both in public and in private'.⁶⁰ Threats intimidated, forcing an enemy either to withdraw from the community, leaving its social space to the victor, or to submit to mediation. Jean de Saint-Bosmer was charged with threatening to kill his sister in order to force her to a settlement over the seigneurie of Mesnil-Simon in Normandy; this was no idle boast—he had already killed his brother and on 23 September 1641 he hit his sister with a staff and knocked her off her horse.⁶¹

Words uttered in the heat of the moment did not lead mechanically to violence; they could be damaging but were relatively easily reconciled. The first task of the mediator of quarrels was to adjudge whether the offence had been done with malice or in sudden anger.⁶² Public threats, often made repeatedly, fall mainly into the former category; they were formal challenges, more often the product of considered consultation and counsel within the kin grouping than a sudden fit of pique. François de Fontaines admitted to his interrogators that he had blasphemed and threatened to kill his victim, but that the 'truth is that the blood of his [dead] father and the voice of his brother had carried him into making complaints and threats to call the seigneur de Ramburelles to account, as he had confessed'.⁶³ Verbal challenges in face-to-face encounters might be supplemented by intimidatory gestures which were more spontaneous. In an encounter with his enemy, Jacques de Vermaultz interpreted the 'shaking of the head as a form of threat'.⁶⁴ Bertrand Darbieu gave Geoffroy Durban, an 'old friend', the lie in 1532; 'in saying this he put his finger close to the face' of the latter, who replied, 'take your hand away and speak without putting your finger so close to my face, for if

⁵⁸ Miller, *Bloodtaking and Peacemaking*, 3.

⁵⁹ AD Corrèze E 178, 17 May 1626. Meurles was killed with a pistol.

⁶⁰ AN JJ 238 fo. 92^v, 11 May 1525.

⁶¹ AN X2b 1216, 23 Nov. 1641.

⁶² Duplex, *Loix militaires*, 358.

⁶³ AN X2b 1193, 19 Feb. 1629.

⁶⁴ AN JJ 266 fo. 72^v, May 1568.

you put it there again I'll show you!' ⁶⁵ Beard pulling was another form of physical affront, and occurred most famously in the privy council on 19 September 1568 when, after a heated exchange, the cardinal de Lorraine became so angry that he tried to grab chancellor l'Hôpital's great white beard before the marshal Montmorency stepped between them. In other cases this led to bloodshed. ⁶⁶ But the most outrageous affront was perpetrated by Christophe André, president of the *élection* (tax court) of Beaugency, in 1637. For fourteen years his family had been in bad blood with the Begon, another family of officials in the region. Only three months after a peace settlement the families were at dinner when the president 'put his hand in his breeches and exposed himself to the sister of Jean de Begon, gentleman servant of the duc d'Orléans'. The president was ambushed and almost killed on 26 January 1638. ⁶⁷

Occasionally, the threat might be sealed by an oath. Jacques de Beaumaistre asserted that in Paris Michel de Croiset 'had made a great oath that wherever he found [Beaumaistre] he would fight him', a challenge he repeated at Chartres in front of several 'men of worth'. ⁶⁸ Oaths bound conspirators to each other. In the attack on Hector Rousseau in 1458 Jacques Jousseume reminded his wavering ally 'that he should keep to his oath'. ⁶⁹ Formal oaths swearing vengeance may have been more common than we suppose. We possess two such documents which were signed and sealed by the oath taker. ⁷⁰ More informally, but no less publicly, oaths could be incorporated into drinking rituals, the fug of boozy companionship eliding into fraternal affirmations of shared hatred. The marquis de Beaufort-Canillac's toast in a tavern 'that they should drink to the health of their friends and to the screwing [*foutre*] of their enemies' was seen by the magistrates of the Parlement of Paris as a prelude to the killing of the sieur de Gobière on 25 August 1658. ⁷¹ Ten years later Gilbert d'Ussel baron de Châteauvert gathered fifteen companions in a tavern at Méouze in the Upper Marche, where his son raised a glass of wine 'to he who would immediately go and whip [the sieur de] Lescluze, to which all the others responded by doffing their hats, wishing to act as seconds'. ⁷²

Due to the expectation that any counter-action should be appropriate to the original offence and only a proportionate response was legitimate, families had to make rational choices in their response to challenges. They would have been well aware of the grave consequences of issuing idle threats against those with equal or greater power than themselves, especially as threats might remain in force for years: Antoine de Saint-More knew that the men he found hunting on his lands 'held for his enemies' because 'five or six years before they had threatened to shoot him with a crossbow'. ⁷³ In 1542, François Greule was sure that the judges of the

⁶⁵ AN JJ 246 fo. 49^v, Mar. 1532.

⁶⁶ AN JJ 258/1 fo. 14^v, Jan. 1548; 259 fo. 236, Dec. 1550, fo. 260, July 1549; AD Seine-Maritime G 3504, 9 May 1611.

⁶⁷ AN X2b 1224, 28 June 1646.

⁶⁸ AN JJ 246 fo. 86, June 1533.

⁶⁹ Guérin, 'Recueil des documents', p. xxiv.

⁷⁰ See below, p. 275.

⁷¹ AN X2b 1267, 8 Oct. 1665.

⁷² AD Creuse E 403, 12 Mar. 1668.

⁷³ AN JJ 257/1 fo. 86^v, Apr. 1546.

Parlement of Toulouse were aware of the threats that the seigneur de Saint-Paul had been making against him since 1526, and presumably he had evidence to back up his claim.⁷⁴

So it was wise to calibrate threats according to the offence, targeting first an enemy's property and his servants, escalating to threats of physical violence, and finally to outright blood revenge. At the outset of a dispute it was tactically astute to highlight one's power, thereby illustrating the perils of defiance. The attacks of the sieur de Saint-Jouan, 'a cruel and feared man in the region', were enough to make Pierre l'Abbé abandon his house and take refuge with his brother-in-law.⁷⁵ The threat of the law was a terrible prospect for those with inferior resources and patrons.

If one's reputation or the threat of legal action were insufficient to cow one's enemy then the next step was to threaten his property, say a barn or a favourite dog.⁷⁶ Then came finely calibrated threats to the body, from the more specific avowal to break someone's nose or smash their heads to François-Marc du Breuil's pledge 'to seize [his enemy] and his servants and kick them out of Brittany'.⁷⁷ More colourfully, Jean de Podanges admitted telling Jean de Montbert 'that if I meet you again I'll cut your spurs back to the heel'. Montbert replied 'like for like'.⁷⁸ More gruesome was the threat to cut off arms and legs, or more commonly cut through hamstrings.⁷⁹ Jean-Baptiste de Guesdon was so infuriated at the infringement of his hunting and fishing right by the sieur de Dampierre in 1630 that he threatened to cut his arms and legs off; this threat, plus the destruction of crops and a barn, proved to be insufficient warning, and some months later he ambushed and killed Dampierre in Paris.⁸⁰

The comte de Lude's oath of 1563 in which he swore to aid the Guise family against its enemies is unusual only in that it survives as a written document and that it binds his heirs to fulfil the obligation against the duc de Guise's killers and against their descendants to the fourth generation.⁸¹ Such terrifying oaths were probably common in an oral culture. The seigneur de Boissimon's pledge in 1596 that 'he would exterminate the Longchamps kindred and all those who assisted them' sounds chillingly close to the language of popular religious violence.⁸² However, in 1644 we find the threat 'to exterminate the lineage' used against Bernard Chevalier, whose father had already been murdered.⁸³ Michel de Croiset 'swore in the presence of several men of worth that he would only be happy when he had killed [Jacques de Beaumaistre] and the ten most important of his

⁷⁴ AD Haute-Garonne B 3240 fo. 194, 18 Apr. 1542.

⁷⁵ AN JJ 263b fo. 7, Jan. 1565.

⁷⁶ For example: AN X2b 1206, 27 Sept. 1636; 1207, 11 Sept. 1637.

⁷⁷ AN X2b 1252, 11 Jan. 1660; BN MS Fr 11926 fo. 57; 21811 fo. 114; AN JJ 246 fo. 50^v, Mar. 1532.

⁷⁸ AN JJ 198 fo. 25^v, Dec. 1461.

⁷⁹ AN JJ 257/2 fo. 76, June. 1546; 263/1 fo. 101^v, Mar. 1556; X2b 1176, 5 July 1584; X2b 1186, 10 Dec. 1624; X2b 1185, 2 Dec. 1624.

⁸⁰ AN X2b 1195, 11 Apr. 1631.

⁸¹ This document is reproduced and discussed below, p. 275.

⁸² Floquet, ii. 442. See also AD Seine-Maritime G 3503, 17 May 1583.

⁸³ BN NA Fr 21709 no. 314, June 1654.

kindred'.⁸⁴ It was more common to focus on the individual rather than the kin group; to wish to 'destroy' one's enemy in 'body and possessions' was formulaic in pardon tales.⁸⁵ Félix le Conte swore chillingly 'that the sieur du Buisson had to be killed and that he'd chop him up into bait'.⁸⁶ Gnawing on a raw chicken leg, Michaut Damy swore that 'he'd also eat the flesh of Étienne Cherodes', a prior, 'and send him to the devil'.⁸⁷ These documents were generated only because the threats failed in their purpose and blood had to be spilled. The evidence under review throws only partial light on the lost oral culture of challenge, counter-challenge, and reconciliation.

Threats are a declaration of future intent, a portent of malice, and thus associated with providence. Sometimes we find providence deployed in letters of remission to argue that an encounter was fortuitous. A man called Rocros led the retinue of the provost of Paris in March 1550 into the attack against the seigneur de Curton's retinue on the Saint-Michel bridge with the words 'that God had sent them to this place in order that he could acquit a wrong that one of his enemy's had done him'.⁸⁸ But this is not the sense in which divine intervention is normally described in the sources. Emphasis on divine providence was a vital part of the Protestant reinvention of the language of vengeance, but before the Reformation Catholic testimony resonated with the power of God's anger. Lancelot Corbyn, a gentleman in the household of the duc de Vendôme, was infuriated by the denigration of his sister's honour, retorting, 'God, Monsieur du Chastellet, will remember the words that you and I have exchanged.' This made Chastellet draw his sword.⁸⁹ On the eve of the Reformation, the fusion between warrior ideals and Christian precepts reached new levels of synergy in the Italian Wars, which were idealized in the figure of the chevalier Bayard and disseminated in cheap print.⁹⁰ Chivalric trust in a destiny preordained by the Almighty gave legitimacy to judicial combat in the Middle Ages and had a strong influence on the development of duelling. Despite strong condemnation many participants believed, like Jean de Ferrières-Sauvebeuf in 1595, 'that God alone recognized the justice of his cause, having so favoured his arms'.⁹¹

If the role of divine providence in legitimizing violence during the Reformation should not surprise us, the absence of evidence of invocations of the devil and of ritual cursing might. Philippe de Champignolles's consultations with a soothsayer about his likely chances in a duel reveal underlying fears that the black arts helped to allay. We may be glimpsing something quotidian and banal, but the fact that his visit to the fortune-teller made him a laughing stock among nobles points also to the growing elite disdain for such forms of popular magic. Admittedly, the evidence is slim. Accusations of witchcraft against an enemy continued to be part

⁸⁴ AN JJ 246 fo. 86, June 1533.

⁸⁶ AN X2b 1185, 2 Dec. 1624.

⁸⁸ AN JJ 261 fo. 130^v, May 1551.

⁹⁰ D. Crouzet, 'Royalty, nobility and religion: research on the war in Italy', *Proceedings of the Western Society for French History*, 18 (1991), 1–14.

⁸⁵ AN JJ 208 fo. 76^v, Oct. 1481; 243 fo. 75, Mar. 1527.

⁸⁷ AN JJ 197 fo. 194, Apr. 1472.

⁸⁹ AN JJ 240 fo. 68, Feb. 1527.

⁹¹ Huet, *Ferrières-Sauvebeuf*, 240.

of political discourse into the seventeenth century. But conducting feuds and harming enemies using diabolic pacts and spells was, like poisoning with which it was associated, anathema to the man of honour: these were the weapons of the powerless—women and peasants.

If threats and insults failed to force your enemy to submit or enter into peaceful dialogue, then the next step was a more overt show of strength. Armed assemblies were illegal and risky as they were likely to incur the wrath of the royal authorities. Already at the beginning of the sixteenth century musters were subject to the close surveillance of the Parlements and heavy fines imposed.⁹² Naturally they were common at times of civil war and political breakdown, but even during the peaceful 1660s local magistrates, such as Arnaud Sabatis, town judge of Castelnau, ran the risk of being assaulted and shot at for attempting to prevent 'musters with firearms' by the local petty nobility.⁹³

Another form of intimidation was to *braver* one's enemy; this had a variety of meanings—to intimidate, to affront, and in the sense of bravado, to play the gallant—which occur in different contexts. On 21 May 1601 Jacques d'Apchier heard that his enemy was nearby and so he mustered his men to confront him: 'By God's death cadet, I want to know if you are passing in front of my house in order to affront me [*braver*].'⁹⁴ Likewise, Raymond Chapt de Rastignac summoned Jean de Ferrières-Sauvebeuf to a duel in 1596: 'Since you do not want to fight I'll thrash you with a staff and so provoke [*braver*] you.'⁹⁵ Poaching on one's neighbour's land provided the perfect cover for intimidation and provocation.⁹⁶ Charles d'Aguerre was accused in 1603 of hunting on the lands of his enemy in the knowledge that it would anger him, passing by his house with a hare slung over his saddle, and then threatening his foe's wife and children by shouting through a window of their château.⁹⁷ René la Gelie infuriated Guillaume Marchand by taking a partridge near one of his mills, coming within a thousand paces of his house. Marchand rushed out shouting: 'Are you passing in front of my door to provoke [*braver*] me?' This was the version of events recounted to him by the magistrates of the Parlement of Paris. Marchand saw things differently: la Gelie had come with soldiers to affront [*braver*] him by hunting with birds and dogs in his game park 'underneath his window'.⁹⁸

Our best-documented case of illicit assembly as a form of intimidation comes from the Auvergne in the first quarter of the seventeenth century. Since the end of the Wars of Religion, the province had been dominated by the Noailles family. Henri de Noailles, a widely respected former companion of Henri IV and staunch

⁹² AD Haute-Garonne B 13 fo. 575, 11 Mar. 1508.

⁹³ AD Haute-Garonne BPS 940, 12 Mar. 1666.

⁹⁵ BN MS Fr 21811, 31 Dec. 1596.

⁹⁶ For example: AN JJ 257/1, Mar. 1546; Comte de Saint-Saud, 'Différends entre gentilshommes périgourains (1565)', *Bulletin de la Société Historique et Archéologique du Périgord*, 66 (1939), 493; AD Seine-Maritime G 3504, 25 May 1604.

⁹⁴ AN X2b 1179, 19 Apr. 1602.

⁹⁷ AN X2b 1181, 19 Aug. 1611.

⁹⁸ AN X2b 1182, 6 Aug. 1617.

royalist in a region bitterly divided by the Catholic League, had done an effective job of pacifying the warring clans after he had been made governor of the Upper Auvergne in 1601. He also made enemies and as he aged they were keen to test his sons: François comte d'Ayen and governor on the resignation of his father in 1614; Charles bishop of Saint-Flour born in 1589; and their younger brother Anne marquis de Montclar. Among their enemies was the young Jacques III d'Escars marquis de Montal, born around 1595. The Noailles' château at Peynières and the d'Escars stronghold at La Roquebrou were a few kilometres apart. When a private war erupted between d'Escars and his 'sworn enemy' Montclar both sides raised troops. Montclar had maintained a notorious gang of brigands in his pay since the accession of Louis XIII which consisted of 'asiatic nomads, runaways, Spaniards, demobbed Germans, and French vagabonds' who had robbed the Venetian ambassador near Rodez in 1621.⁹⁹ Peace was made between the warring parties by the vicomte de Pompadour in 1624.

Youth seems to have been a contributing factor to these disputes as each party struggled to make its reputation. Henri de Noailles died in May 1623 and the challenges to his young sons by their equally youthful rivals were stepped up. Escars was of more prestigious ancestry than the Noailles and needed little pretext to subvert their hegemony. He forged an alliance with another young enemy of the Noailles, Henri de Saint-Martial baron de Conros (b. 1598), who had refused to do homage to them. Despite the end of the Wars of Religion his father continued to maintain troops and in 1605 stormed and pillaged the château of Saint-Chamans in a 'private feud'.¹⁰⁰ Henri followed in his father's footsteps: in 1617 he assembled his followers in a show of strength with a rival clan.

On 22 August 1624 Conros and Escars began to muster their supporters for a demonstration, the target being Charles de Noailles bishop of Saint-Flour.¹⁰¹ The bishop had been taking the waters at Vic 12 kilometres north-east of Aurillac, capital of the Upper Auvergne, in ignorance of their intentions. When he departed at dawn they knew of his plan to return to his residence at Peynières via Aurillac. In the words of the prosecuting magistrate they 'resolved to encounter the said lord bishop of Saint-Flour in order to ill-treat him as they had bragged'. They assembled forty to fifty horse each armed with two pistols and followed him. Their procession was clearly well planned for, as they passed along the main road to Aurillac in the wake of the unsuspecting bishop, they were joined by their supporters: the baron de Saint-Chamans, their first cousin, the seigneur de Saint-Colombe, Conros's brother-in-law, and finally Conros's brother, each with twenty horse all armed with pistols 'as they are ordinarily armed, which is not forbidden in this region'. Scouts were sent ahead to keep them apprised of the bishop's progress and messengers dispatched summoning their supporters to rendezvous near the

⁹⁹ Boudet, *La Justice et la police prévôtales*, 74–5.

¹⁰⁰ Ibid. 47.

¹⁰¹ For this and following: AN X2b 1187, 5 May 1625; 1188, 14 Nov. 1625.

bishop's château. Recruiting drums were beaten at Aurillac and as far away as Salers, 20 kilometres north of Aurillac, on the pretence that a great assembly of men was required to prevent the bishop hunting on Escars's lands. Fortunately for the Noailles the officers and men of the *maréchaussée* were loyal and the attempt to reach the bishop was foiled.

What was the purpose of this demonstration? Neither the bishop nor the Parlement accused Escars and Conros of plotting assassination, which was unnecessary and too risky—though Conros did take the precaution of making his will on the evening before. Rather they were accused of attempting to provoke (*braver*) or terrify (*méfaire*) their enemy. Their procession from Vic through the town of Aurillac to the Noailles stronghold at Peynières 25 kilometres to the west was a public demonstration of the power of their combined kinship network and a warning to the Noailles that their monopoly of office did not equate to a monopoly of power. The affair was not yet over. Though the immediate dispute was settled by marshal Thémynes, the bishop no longer dared travel anywhere without an armed escort. Close to Richelieu, Noailles was an active bishop and member of the Confraternity of the Holy Sacrament. Escars seems to have tried to rally the forces of tradition, threatening the monks of Mauriac for having invited the reformers of Saint-Maur. But his candidature as a champion of the forces of tradition was unconvincing. His murder of his uncle in May 1628 divided his lineage and left him exposed to his enemies: he was forced to flee the province, executed in effigy in Aurillac in October 1629, and killed in Paris in 1631 in a bungled arrest.

The vivid description of the marquis de Montclar's host reminds us that the reputation of a noble's following was as important as the numbers he could muster. His motley assortment of brigands from all over Europe and 'Asia' struck fear into the officers of the *maréchaussée* and his enemies alike. Such men were more commonly described as lackeys and often employed purely for their fearsome reputation. Their dandified looks and swaggering manner became synonymous with moral corruption and their behaviour, providing 'protection' for their masters, was a constant headache for the royal authorities. Visibility was encouraged. Lackeys were employed to *braver*, to intimidate and project the power of their lord. In 1656 the murderers of the son of the seigneur de Recourt were easily identified by their livery as belonging to the seigneurs of Créquy, Hallwin, and Ongnies—three of the greatest Picard families. These badges acted as a warning to witnesses and to the investigating magistrate alike.¹⁰²

The first recorded use of the word *braver* is in 1515, strongly suggesting that it was imported from Italy. The Italian term for lackeys, *i bravi*, memorably evoked in Manzoni's *The Betrothed*, as they terrorize peasants and carry out their master's dirty work, indicates precisely their function. The seven valets of the notorious

¹⁰² This is probably why the initial investigation was conducted by the *prévôt de l'hôtel*: BN MS Fr 17345 fo. 80, 2 July 1656.

marquis de Canillac were called the 'Apostles, because they were ministers of his cruelty'.¹⁰³ Henri IV repeatedly issued edicts to curb the disorders of pages and lackeys at court 'who by both day and night roam the streets with swords, daggers and other arms'.¹⁰⁴ In general, lackeys were expendable and were much more likely to end up on the gibbet than their master, but when held in affection by the great they were more dangerous than ordinary criminals. In 1547, for example, the marquis de Nesle paid 200 *écus*, a not inconsiderable sum, to compensate the family of a soldier killed by one of his lackeys.¹⁰⁵ Henri de Foucauld marquis de Saint-Germain de Beaupré (d. 1678) was, according to Tallement des Réaux, 'a great tyrant in all things: when a peasant or a bourgeois were well-off, he constrained them to marry their daughters to his men, and it was thus that he paid his servants'.¹⁰⁶ There were also less considerate employers. When Louis de Boileau's lackey, 'a man whom he had clothed and fed', left his employ for another he was furious. On 5 May 1550 he apprehended the unfortunate man, took him to a stable in the old market at Auenay and, after stripping him, whipped him with his belt 'as one does to a lackey'. He died from his wounds.¹⁰⁷

THE VULNERABLE: PROPERTY AND SERVANTS

The parties to a feud exchanged attacks on property and servants, but these are often indistinguishable from ordinary brigandage and cattle rustling. Sometimes we get a glimpse of the banal tit for tat cattle raiding that characterized noble feuding in peacetime. In 1540 Bernard de Castelbajac admitted that he stole cattle and harnesses because six years previously his neighbour had impounded his cattle for non-payment of rents.¹⁰⁸ Disentangling 'legitimate' acts of violence during periods of political upheaval and civil war from illegal private disputes was as much a problem for royal officials as it is for the historian. It was particularly difficult during the Wars of Religion because of the monarchy's inability to enforce its complex and often unpopular peace settlements, which invariably granted general pardons to the combatants. Thereafter the law courts had the formidable task of separating feuds from legitimate acts of belligerence.¹⁰⁹

¹⁰³ AN U 749 fo. 311.

¹⁰⁴ AN V3 187 fo. 91, 17 Dec. 1596.

¹⁰⁵ E. Coyeque, *Recueil d'ctes notariés relatifs à l'histoire de Paris et de ses environs au XVI^e siècle*, 2 vols. (Paris: Imprimerie Nationale 1905–24), ii. 37.

¹⁰⁶ Tallement des Réaux, v. 265.

¹⁰⁷ AN JJ 260b fo. 140, Nov. 1550.

¹⁰⁸ AN JJ 253/2 fo. 74^v, May 1540. On cattle rustling: AD Cantal, Fonds de Comblat, 12 June 1627; AN X2b 1208, 28 Feb. 1641; 1269, 22 Jan. 1666; Claude Haton, *Mémoires*, ed. L. Bourquin, 3 vols. to date (Paris: Comité des travaux historiques et scientifiques, 2001–), ii. 236; AD Cantal, Fonds de Comblat, 8 Dec. 1589.

¹⁰⁹ This issue is summarized by D. Margolf, 'The Paris chambre de l'édit: Protestant, Catholic and royal justice in early modern France', Ph.D. thesis (Yale, 1990), 93–154. For examples at other times: AN JJ 225 fo. 203^v, Oct. 1489; 227 fo. 12^v, Nov. 1495.

Sections of the apocryphal memoirs of the comte de Rochefort, which mix fact and fiction, are a manual of guerrilla tactics against a rival's property. In this instance they were the weapons of the weak: the comte d'Harcourt, a prince, was far too eminent and dangerous to affront publicly. Rochefort was aided by the political breakdown in the wake of the Frondes and by the local loathing for Harcourt, who had commanded the royalist forces in Normandy during the civil war. Based in friendly territory, the hero conducted raids on the county of Harcourt during the mid-1650s. He ambushed comital officials and gave one a beating. He feigned poaching to draw the count's men into a trap. Killing was not the object of these raids and the beating he administered was sufficiently cathartic: 'I thought only of personal vengeance and was satisfied by acting in this manner.' Revenge had its limits: 'I considered that I had done enough to show my feelings.'¹¹⁰

The servants and officials of one's opponent were tempting targets for acts of vindictory violence because they were relatively defenceless and, in the event of an accord, easily compensated. Seigneurial officials had a highly dangerous task when the seigneurie was contested by rival lords who were able to perpetrate violence under cover of legal injunctions, permitting them to seize property and rents. When Henri de Chabannes marquis de Curton took control of his inheritance over the opposition of his father's second wife he beat up her officials and then locked them up 'in a cellar and then in a pig sty where they suffered great torments'.¹¹¹ When an enemy would not or could not rise to a challenge, his associates proved convenient targets. In 1627 Antoine du Quesnoy went with his brother and several men onto his neighbour's property and beat up two of his servants: 'By death, take that for your master. I summoned him through a friend yesterday but he would not open his door, but tomorrow he shall find my door open.'¹¹² All satellites of an enemy were potential targets: on 29 January 1486 Guillaume Buffière was 'dragged by his hair, hit and beaten inhumanely' by the Boulart brothers simply because he was a 'friend' of the Saint-Lubin.¹¹³ Gilles de Hauvellez and his enemy had 'for a long time hatred and ill-will towards each other', but what angered him most was that his enemy entered his house to conduct an affair with his chambermaid. Hauvellez not only represented this as a sign of his enemy's immorality, since he was already married, but as a deliberate provocation, since the maid 'had served in his house for the last twenty years'.¹¹⁴ Servants who moved to the employ of a rival lord were no better than turncoats. Jean Baudet was furious when Damyen le Gascon was taken on by Joachim de Razille and he threatened to cut off his former servant's legs. Razille wrote him a mocking letter, saying that his 'door was always open'; this divided the parish of Parcay into two armed camps and ended with Baudet's death.¹¹⁵

¹¹⁰ Courtiliz de Sandras, *Les Aventures du comte de Rochefort*, 125, 127.

¹¹¹ H. de Chabannes, *Preuves pour servir à l'histoire de la maison de Chabannes*, 4 vols. (Dijon, 1892-7), iii. 444.

¹¹³ AN JJ 211 fo. 83, Feb. 1486.

¹¹² AN X2b 1191, 8 Jan. 1627.

¹¹⁵ AN JJ 246 fo. 50^v, Mar. 1532.

¹¹⁴ AN JJ 195, fo. 179, July 1472.

Acts of revenge had their rhythms, following the agricultural calendar: harvest time and the hunting season on a contested property were particularly sensitive.¹¹⁶ Damage could be done quite systematically: since Madeleine de Senglier, a widow, had launched a suit against her brother-in-law, he 'had fired several arquebus shots at her, pulled up her hedgerows, walked his horses across her corn from which she had suffered very great damage . . . and allowed his pigs to eat her peas'.¹¹⁷ Or it might take the form of sabotage: the enemies of Arnaud de Martres disrupted his grape harvest by cutting the ropes of the baskets used to carry the crop.¹¹⁸

Attacks on property were usually viewed more seriously than attacks on humble servants or officials. Arson was a heinous crime. In 1539 Jean d'Aché, of a significant Norman lineage, thought it worthwhile to fight a duel with seconds against a man who had burnt one of his houses.¹¹⁹ Incendiarism was designed to strike terror into an enemy. When one of his neighbours joined a posse charged with his arrest in 1645, Gérard de Biderraud announced his displeasure by burning one of his barns.¹²⁰ Burning property was a warning, though sometimes its purpose was to kill or to draw an enemy out of his house.¹²¹ Paradoxically arson might also indicate impotence. Two men had already died but still the Tournemire could not prevent Anjony building a château to rival their own; they were reduced to burning their enemies' stables in frustration.¹²²

For the more restrained, poaching, as a means of provocation, was easily denied if done under the cover of a legitimate hunt.¹²³ But as well as being the object of rustlers and arsonists, farm animals were tempting targets for mutilation in vindictory exchanges. François de la Salle had a confrontation with Gabriel de Clergue on 5 July 1545 outside their parish church. Two days later as they passed his enemy's château, la Salle and his men shouted insults, receiving crossbow bolts by way of reply, which wounded one of their horses. Unable to break down Clergue's door they vented their frustrations on his sheep, killing a number and wrecking the shepherd's house.¹²⁴ The killing or stealing of chickens, pigs, and goats only appears in our documents after events had escalated into something serious, but was clearly more common than bloodletting; it was a mundane feature of rural life, conducted by nobles and peasants alike, and dealt with by lesser courts.

Cat killing in early modern popular culture had rich symbolic and ludic meanings.¹²⁵ But dogs were the most favoured pet of the aristocracy. Much care and

¹¹⁶ AN JJ 195 fo. 239, May 1474; fo. 269, May 1474; 201 fo. 7^v, Dec. 1466; 261/2 fo. 143, May 1552; 261/2 fo. 120^v, Apr. 1552.

¹¹⁷ AD Seine-Maritime 1B 5536, 13 July 1586.

¹¹⁸ AN JJ 259 fo. 307, Nov. 1549.

¹¹⁹ AN JJ 253, fo. 105^v, June 1539.

¹²⁰ AN X2b 1246, 31 Aug. 1657.

¹²¹ Guérin, 'Recueil des documents', p. xxvii; AN X2b 1199, 17 Mar. 1633, 21 May 1633. For other cases: AN X2b 1199, 7 June 1633; 1253, 22 Sept. 1659; JJ 341 fo. 351, Aug. 1528; X2a 1395, 23 Jan. 1588; AD Seine-Maritime G 3503, May 1582.

¹²² AN X2a 39, 6 July 1471.

¹²³ AN JJ 253/2 fo. 17^v, Mar. 1538.

¹²⁴ AN X2b 257/2 fo. 67^v, May 1546.

¹²⁵ R. Darnton, *The Great Cat Massacre and Other Episodes in Cultural History* (London: Allen Lane, 1984).

attention was lavished upon hunting hounds, and other breeds became beloved pets. As the English proverb has it, 'he cannot be a gentleman who loveth not a dog'. Animal life was sometimes more highly regarded than human life: in 1535 Pierre de la Garde obtained letters of remission for killing a servant who had mistreated one of his dogs.¹²⁶ In 1605, after the death of her son, the damoiselle de la Brinière summoned a family council and ordered a response prefiguring the practices of the mafia: she ordered the abduction of a greyhound belonging to the culprit, the sieur de Lourrelière, the cutting of its hamstrings, and the depositing of the maimed animal at its master's gate.¹²⁷ The attack which followed was particularly savage. Her elder son and five men, armed with pistols, swords, and arquebuses, attacked Lourrelière and his two brothers-in-law in the courtyard. The damoiselle de la Brinière and her daughter were wounded in the combat, two of her kinsmen killed, and they succeeded in killing two of the enemy. Here dog maiming was a weapon of psychological terror, a declaration of intent to take vengeance, and a summons to combat. I have found eight comparable instances as part of noble feuds from 1461 to 1663.¹²⁸ Dog killing was usually associated with hunting disputes.¹²⁹ The mistreatment of someone else's dog was a public threat: this was the thrust of the complaint to the Parlement of Rouen in 1581 which was told that 'the son of la Pontherie killed my dog in the house of [the seigneur] Damer-court, but by God's death I shall kill his'.¹³⁰ Louis de Saint-Aubin, who was decapitated on 23 May 1607, had an enemy called Salmonnier. Saint-Aubin seized one of his enemy's dogs and 'in his house derisively called it Salmonnier'.¹³¹

Hamstringing dogs seems to have played a distinctly escalatory role in noble feuds: maiming a beloved pet, such as a highly prized mastiff, was both a threat and a provocation.¹³² Hunting birds were prized rather than loved and rarely appear in the dispute process.¹³³ Horses, on the other hand, were at the top of the hierarchy of animals and, cherished for their aristocratic grace and courage, were attributed with semi-human characteristics; they were expensive and their quality was a mark of status. When a prized horse died suddenly suspicion fell on the malicious. Jean de la Serre admitted warning his neighbour Robert de la Garde in 1555 that if his cattle strayed into his fields he'd kill them. And when la Garde found one of his mares dead he suspected his neighbour; he had a *monitoire* read in the church pulpit and 'in order to take vengeance' he impounded la Serre's pigs in lieu of damages. This led to a fight on 24 October in which la Garde was killed.¹³⁴ Thoroughbreds were valuable commodities. Jean de Vipart burned farms

¹²⁶ AN JJ 248 fo. 122^v, Aug. 1535.

¹²⁸ AN JJ 225 fo. 247^v, Oct. 1490.

¹²⁹ For example, AN JJ 198 fo. 25^v, Dec. 1461; 207 fo. 87^v, Nov. 1482; X2b 1210, 9 Apr. 1639; Thil, 'Chronique sur une affaire criminelle', 4–5.

¹³⁰ AD Seine-Maritime 1B 3189, 4 Feb. 1581.

¹³² AN JJ 263/1 fo. 189, June 1556.

¹³⁴ AN JJ 263/1 fo. 166^v, Apr. 1556.

¹²⁷ AN X2b 1180, 29 May 1609.

¹³¹ AN X2b 1330, 23 May 1607.

¹³³ AN JJ 257/3 fo. 32, Jan. 1547.

belonging to the baron de Houetteville because his mares had been inseminated by his neighbour's stray asses.¹³⁵ Horse maiming was a serious escalation of a dispute. When Jacques de la Touche complained to Jean de Cheroux that his cattle were eating his tenants' crops, Cheroux retorted 'that [la Touche] had cut the tongue out of one of his horses for which he intended to have reparation by justice'. His provocative intention had the desired effect and the two men fought a duel in which la Touche was killed.¹³⁶ This sort of behaviour can also be found in the seventeenth century: in the 1620s René de Lameth ordered his lackeys to kill the coach horses of his enemy.¹³⁷

PROTECTION, MAIMING, AND HUMILIATION

Kinship ties engendered powerful emotions. When, in 1463, Grand Jean confessed in front of marshal Comminges that he had killed Guillot de Grainge, the dead man's kinsmen were so incensed that, ignoring protocol, they brushed passed the marshal and launched a furious attack on the accused. Their ringleader, Jean d'Escars, was forced to flee French service because the marshal refused any accord, having 'conceived great hatred against him'.¹³⁸ A sense of group solidarity was also forged by horizontal ties of comradeship: Guillot de Grainge and Grand Jean were men-at-arms in rival gendarmerie companies. Livery, coats of arms, and badges, were totemic, representing bonds of fellowship and mutual obligation. Seigneurs and captains alike were obliged to protect those who followed them; an attack on one was interpreted as an attack on the group. After striking his enemy's rent collector, the seigneur de Mailly had to agree with his adversary 'that you were placed under obligation to vindicate your right by arms'.¹³⁹ In the same way, tenants and vassals were referred to as 'subjects' by their lords with the implication that they had jurisdiction over them—an attack on a subject was treated as an infringement of lordship. Thus when Philippe de Manas began to beat and pull the hair of Bertrand Coget, rector of Dornessan, in 1497, his brother intervened: 'By God's death brother you do wrong to hit Bertrand for he is not our subject and the comte d'Astarac and the abbot of Fages, seigneurs of Seissan, will not be happy.'¹⁴⁰

Protection however was more than just an obligation of good lordship. Lordship was not a static relationship, but had to be created, maintained, and reproduced. The ability to provide protection or not was an indicator of status, and easily put to the test.¹⁴¹ Protection cut both ways: the adoption of a subordinate's quarrel might provide convenient cover for skulduggery, while errant

¹³⁵ Martel, *Julien et Marguerite de Ravalet*, 57.

¹³⁷ AN X2b 1192, 3 Mar. 1626.

¹³⁹ BN MS Fr 3461 fo. 19.

¹⁴¹ Zmora, *The Knightly Feud*, 109–11.

¹³⁶ AN JJ 244 fo. 60, Feb. 1529.

¹³⁸ AN JJ 199 fo. 137, 30 Dec. 1463.

¹⁴⁰ AN JJ 229, May 1498.

servants could exploit differences between neighbouring lords.¹⁴² It was claimed that Leonard de Châteauneuf employed the retinue of his master, the seigneur de Sermoises, for his own purposes and 'had created a state of revenge [against him] under the credit of his master', which led to a clash in which several died.¹⁴³ When servants became embroiled in disputes their master had to determine whether retaliation or reconciliation was appropriate. Immediate support for one's men was expected, ensuring escalation, unless wiser counsel intervened. Vulson offers the example of the duel between the Provençals Annibal de Forbin and Alexandre du Mas-de-Castellane vicomte d'Allemagne in 1612 to illustrate the consequences of inflexibility. They were co-seigneurs of the same village. Despite a settlement arranged by their masters, their respective *baillis* continued to quarrel over precedence. Allemagne was an impetuous 19-year-old youth. He met his neighbour's official while out hunting and shouted, '*Bailli*, you wanted to precede mine? If I see you round here again I'll bind your fingers so tightly that you'll never want to return.' 'Monsieur', replied the *bailli*, 'I have a good master who will defend me.' 'Tell your master', replied Allemagne, 'that I'll box your ears and his also.'¹⁴⁴ The *bailli* sent a letter to his master, exaggerating the incident. Forbin, aged more than 60 years old, was 'blinded by passion'. Vulson described the duel between them at Aix as one of the most vicious fought in France. In order to offset the disparity in their ages, they fought with their left arm tethered to each other. In their right hands they held daggers. Forbin was stabbed in the throat and killed.¹⁴⁵

If threats to strike or maim went unheeded the next step was actually bodily harm short of death. In March 1459 Jean de la Touche summoned his kinsmen at Pontoise 'to help him avenge his valet who had been beaten raw by three men'. When they got hold of one of them and tied him up, Pierre de la Touche told his brother 'that they should not beat him in places that would kill him, but that they should only cut his hamstrings'.¹⁴⁶ Hamstringing seems to have played a similar role to kneecapping as developed by paramilitaries during the Troubles in Northern Ireland, in which the permanently disabled victim serves as a sort of living trophy, reminding the community of the power of the attacker and of the consequences of a challenge to that power. The practice of hamstringing in early modern France, like that of kneecapping in Northern Ireland, was widespread enough to enter the public consciousness. In the 1660s René de Framond and his men were referred to by the Parlement of Toulouse as 'a troop of hamstringers'.¹⁴⁷ Thus Félix le Conte's threat 'he would cut the hamstrings of those who cut his woods' was no idle boast.¹⁴⁸

¹⁴² For example: AN JJ 232 fo. 90^v, Apr. 1500; 245 fo. 87, Sept. 1530; 252 fo. 97^v, June 1537; 258/1 fo. 14^v, Jan. 1548; 259 fo. 15^v, Jan. 1549; 259 fo. 260, July 1549.

¹⁴³ AN JJ 260 fo. 236, Dec. 1550.

¹⁴⁴ Vulson, *Theatre d'honneur*, ii. 522–4.

¹⁴⁵ Abbé R. de Briançon, *L'Etat de la Provence*, 3 vols. (Paris, 1693), ii. 357.

¹⁴⁶ The man, however, died from his wounds: AN JJ 192 fo. 10, Apr. 1460.

¹⁴⁷ Baudouin, *Journal*, 55.

¹⁴⁸ AN X2b 1185, 2 Dec. 1624.

Another option was an exemplary public beating. In 1647 the seigneur de Moufflaines paid three pages of the duc d'Orléans fifty *pistoles* if they would thrash his enemy, Fouquet de Croissy. The pages were a little too zealous and they beat their victim so badly Moufflaines was forced to flee to England.¹⁴⁹ The more elusive an enemy the more tempting his servants became as a target. In 1540 François de la Salle admitted seizing a commensal of the marquis de Rumières 'his mortal enemy' and lashing him with stirrups 'without otherwise wounding or mutilating him'.¹⁵⁰ Beatings that got out of hand and led to the unforeseen death of the victim are a convention in our sources. The practice of hitting people with the flat blade of one's sword seems to have been common, as were the many 'accidents' that resulted.¹⁵¹ Rituals of humiliation, whether accompanied by violence or not, proclaimed the power of the perpetrator while denigrating the honour of the victim. Waleran de Germet was hit in the stomach in 1565 with a pistol butt and then forced 'to suck on the barrel'.¹⁵² In a settlement brokered by the duc de Montpensier in 1600 the seigneur de Marcilly apologized to his victim for having stopped his carriage on the Paris–Gentilly road, for having hit him with the flat of his sword and a rod, for refusing to allow him a sword to defend himself, and for forcing him to beg for mercy on his knees.¹⁵³ The Mosnart clan surprised and surrounded Florent de Vermaultz, ordering him off his horse and onto his knees in order to beg pardon for an insult he had proffered. When he refused they raised their pistols and demanded that he ask their pardon 'in the place where the first insult had been uttered'.¹⁵⁴ Servants had to suffer greater indignities. In 1537 Arnaud de Martres retaliated to the sabotage of his grape harvest by shaving the head of one his enemy's men with the warning that next time it would be his ears.¹⁵⁵ Royal officers were not immune from such treatment: in 1604 François de Hautefort ambushed the lieutenant-general of the *présidial* of Tulle, 'whipped him, cut off half his beard and an ear, and killed the men of his suite'.¹⁵⁶ This was not an isolated incident in the early seventeenth century.¹⁵⁷ More unusually, in mockery of official justice at the height of the Wars of Religion, Madame de Chatte, a royalist, ordered a woman from Puy to have her nose cut off on the scaffold as vengeance for the assassination of her husband by the Leaguers of Puy.¹⁵⁸

These unpleasant incidents suggest that maiming was a more widespread phenomenon that went beyond hamstringing servants and lackeys. Sword blows in the hands of the skilled were often intended to maim and disable rather than

¹⁴⁹ AN X2b 1227, 30 Aug. and 27 Nov. 1647.

¹⁵⁰ AN JJ 257/2 fo. 67^v, May 1546.

¹⁵¹ AN JJ 259, fo. 260, July 1549; AN X2b 1210, 24 Jan. 1639; AD Seine-Maritime G 3504, 11 May 1649.

¹⁵² AN JJ 264 fo. 235^v, July 1566.

¹⁵³ BN MS Fr 4740 fo. 102, 12 Nov. 1600.

¹⁵⁴ AN JJ 266 fo. 72^v, May 1568.

¹⁵⁵ AN JJ 259 fo. 307, Nov. 1549. See also: AN X2b 1182, 14 Mar. 1611.

¹⁵⁶ E. Bombal, *Notes et documents historiques pour servir à l'histoire de la maison de Saint-Chamans* (Paris, 1885), 64–5.

¹⁵⁷ In 1613 the baron de Chaulat was accused of beating up a royal sergeant, tearing off his badge of office, and cutting off his left ear: AN X2b 1182, 15 Feb. 1613.

¹⁵⁸ Jean Burel, *Mémoires*, ed. A. de Chassaing (Le Puy-en-Velay, 1875), 413.

kill the victim outright.¹⁵⁹ Hubert Damiette was 'beaten, wounded and left for dead' by Jacques de Fontaines and Antoine d'Aigneville, leaving his left hand 'perpetually maimed and ruined'. For this they would pay substantial damages, but they were fully aware that the costs would have been considerably higher had the wounds they inflicted been fatal.¹⁶⁰ Maiming an enemy was a risky calculation. Pierre l'Abbé's arm was severed by the seigneur de Landugean: twenty years later he avenged himself with his good arm.¹⁶¹ Ten years had elapsed since Anne André had his hands crippled by his enemy before his nephews were able to avenge him in 1646.¹⁶²

CONCLUSION: THE TRAJECTORY OF ESCALATION

Feuding in early modern France was characterized by exchanges of violence, in which responses were carefully calibrated according to the affront. For the most part, a vindictory action served limited purposes: it aspired to public recognition of one's claim; warned that a grievance could not be ignored; called for dialogue or mediation. Vengeance killing was not the exclusive goal of feuding parties, but escalation, though by no means inevitable and dependent on many external factors, was intrinsic to the dispute process. If local political circumstances permitted, tit for tat attacks against servants and officials might escalate into low-level guerrilla warfare. The Lameth brothers, Léonor and René, had a number of law-suits pending with Jacques de Clermont over 'cows, pigs and other things of little value', but this did not prevent him challenging his adversaries to a duel. Not only did Léonor order the killing of Clermont's horses, as we discussed above, but he hunted on his lands, passed by his house 'with great apparel', smashed the windows of his house, and vandalized one of his mills.¹⁶³

We have approached the issue of escalation by considering discrete themes in isolation. By way of conclusion, two seventeenth-century case studies from the same region show the interplay of different types of exchange, how they fit together to create a narrative of dispute, and how that narrative gathers momentum. Our first case arises in the village of Champagne-sur-Oise, approximately 20 kilometres north of Paris. The dispute between François des Roches and his stepson Jean de Perthuis began in 1614 when the stepson suspected fraud in the marriage contract. Their relationship deteriorated and eight years later des Roches challenged his stepson to a duel which Perthuis declined, seeking the protection of the *bailli* and the governor of Beaumont-sur-Oise, both 'capital enemies' of des Roches. Enraged, des Roches threatened 'to exterminate' his enemy. Their next clash came when Perthuis's pig ate some of des Roches's grain; he threatened the

¹⁵⁹ AN JJ 263 fo. 96^v, Feb. 1566.

¹⁶¹ AN JJ 263/2 fo. 7, Jan. 1565.

¹⁶³ AN X2b 1192, 3 Mar. 1626.

¹⁶⁰ AB X2a 72 fo. 25^v, 15 Dec. 1516.

¹⁶² AN X2b 1228, 2 Oct. 1647.

pig and Perthuis responded in kind, threatening his stepfather's dog. Insults were exchanged and physical threats made. These events took place over many years and were exacerbated by numerous lawsuits, in which des Roches claimed he had been awarded 5,000 *livres* in damages. Finally, in May 1637 des Roches's young grandson killed Perthuis. Des Roches was said to have exclaimed on hearing the news: 'Perthuis was better off dead and that the scourge of God's justice had fallen upon him'.¹⁶⁴

A similar pattern of escalation was seen not far from here, in the region of Gerberoy in the Vexin Français. On 17 August 1623 a combat took place between two heavily armed clans, the Monsures and the d'Aubourg, in which a number of men were wounded and one man killed on each side. At the heart of their animosity was the division of rents (*champarts*) between them. On 10 December 1624 Guillaume de Monsures was questioned by a judge who put it to him that before the encounter a peasant had told him that the d'Aubourg had forbidden him to go to the Monsures' mill. Guillaume replied to the man 'that if he didn't come he'd cut his hamstrings and take away [his] cattle'. Two days before the combat Monsures was accused of hitting another peasant with the words 'go and take that to [d'Aubourg]'. He then summoned forty horsemen and passed near the d'Aubourg residence damaging crops and shouting to Charles d'Aubourg 'that he should come out since he wished to cut his throat'. The behaviour of the d'Aubourg was no better: they threatened to kill the Monsures and beat one of their servants with the words 'take that to your master'. Both sides received letters of pardon for their actions, though their animosity continued through the courts for at least nine more years.¹⁶⁵ These two cases reveal how, even in the Île-de-France, where royal power and judicial authority was most evident, seemingly banal exchanges if unchecked by mediation might escalate into bloodletting.

¹⁶⁴ AN X2b 1207, 11 Sept. 1637; 1212, 23 June 1640.

¹⁶⁵ Claude d'Aubourg was interrogated on his letters of remission on 27 Apr. 1634: AN X2b 1201.

5

Conspiracy

Counsel is one of the most important, least understood, and most elusive elements of early modern politics. Historians are forced by the survival of the evidence to privilege the public sphere and the world of print culture and only rarely permitted by a fragment of evidence to eavesdrop on the private world of family decision making and secret conspiracy. Early modern politics was to a large extent conspiratorial; procuring the downfall of an enemy or the victory of a friend. Table talk in all households revolved around plots and schemes designed to further the lineage at the expense of one's neighbour. Plots were disguised as fair duels or chance encounters. Behind much of the surviving evidence of face-to-face killing in our period lies the hidden history of calculation and conspiracy.

COUNSEL AND CONSCIENCE

Taking counsel enabled the proponent of action to win a broad base of support not only for killing but also to prepare the kin grouping for the judicial backlash, which would entail costly litigation and blood money compensation that could potentially impoverish the whole lineage.¹ After a murder had been committed patrons and clients had to be called upon in a number of ways: to shelter the perpetrator, to slow the legal process, to intimidate and bribe witnesses, and to register letters of pardon. The man who acted individually was likely to find himself isolated. Froissart tells us the exemplary story of Jean de Carrouges. In January 1386 his wife told him that she had been raped by Jacques le Gris.

syth the matter is so as ye shewe me, I pardon you, but the knyght shall dye for his dede, by the advyse and cousayle of my frendes and youres . . . The nexte daye the knyght wrote many letters, and sente them to all his wyffes frendes, and also to his owne, soo that in a shorte tyme they were all come and assembled togyder at the castell of Argentuell . . . so there he demanded of them counsayle. And he was counsayled that he sholde drawe to his lorde the erle of Alanson, and shewe him all the matter; and so he dyd.²

¹ Miller, *Bloodtaking and Peacemaking*, 164–7.

² Jean Froissart, *Chronicles*, trans. Lord Berners, 6 vols. (London: Nutt, 1901), iv. 364–5.

Although Alençon annulled criminal charges against le Gris, his favourite, Carrouges was able to defy his lord and take the case to the Parlement of Paris because he had the backing of his whole kin network. On 29 December Carrouges killed his enemy in a judicial duel. This case is especially interesting because it reveals the intersection of individual and collective responsibility. Duels between individuals, whether sanctioned by a prince or not, should not be dissociated from the wider framework of kinship solidarity and responsibility. Listen, for example, to the advice given by Charles de Noailles in a letter from Paris to his brother Henri in the Limousin, advising about how to conduct himself in a dispute with an unnamed enemy. Charles counselled his brother to try and work out what his enemy was thinking and even to talk to him to ascertain his intentions: 'also I shall entrust everything to you and to the advice of those who I have named to you; it being, as I have heard it said, better to avoid reproach by failing through the counsel of those that one esteems highly than to do right off one's own back.'³ Distance was not an insurmountable barrier to effective kinship solidarity.

Kinship obligation placed enormous pressures on young males who were expected to uphold the honour of the group and issue a challenge: defiance of paternal authority was a sin. Supplicants for pardon could turn this to their advantage, arguing that they were constrained to kill by their kinsfolk. In 1476 Jean de Polostron told his son Roger that if he did not avenge the outrage perpetrated by Domange de Pujols 'he would disavow him and would no longer hold him as a son and would have no property from him'. These words had great effect because Roger admitted telling his men, 'there is the man who outraged me and my father, go and beat him well and make sure you kill him because he's an evil lad, and look after yourselves for I would prefer it if you killed him than if he killed you'.⁴ Uncles exerted moral pressure on their nephews. Pierre Gouberville's uncle told him in 1495 that 'you would be a coward if you do not take revenge, I think it should be done on Friday or Saturday in Rouen'.⁵ Gouberville had been insulted in front of a large gathering of nobles and his uncle was ensuring that revenge took place in as public a place as possible. Counsel was not limited to kinsfolk. Jean de Voisins took the advice of 'several of his men and servants, including Pierre Martin alias Rodignon who was crafty and devious'.⁶ While Alexandre de la Marette admitted that he was 'accustomed to conduct himself in all his affairs by the council of Monsieur Pierre Bonneton prior of la Bachièrre'. Significantly the la Marette clan met in the prior's house before its confrontation with la Tourrette and his twenty men.⁷

Family councils were not merely forums for the expression of wise counsel and consent; since they decided the political direction of the family they were just as likely to be uncomfortable meetings where contradictory views were expressed and egos clashed. When matters of life and death were at stake confidants could be

³ Paris (ed.) *Papiers de Noailles*, ii. 189.

⁵ AN JJ 227 fo. 151, Nov. 1496.

⁷ AN JJ 261/2 fo. 309^v, Sept. 1552.

⁴ AN JJ 231 fo. 203, 1498.

⁶ AN JJ 210 fo. 25, Jan. 1483.

remarkably blunt: after carrying out a revenge killing in 1551 one of Philippe Boussault's servants was heard to say, 'By the devil I told you that you should have had satisfaction. Here we have encountered our misfortune.'⁸ Leaks were inevitable. Though Antoine de Morges swore his friends to secrecy about the affront he had received and how he intended to repair it, one of them was a friend to both parties and 'against his promise divulged [the plot] in several places'.⁹ Power relationships within families are complex. The persona of the head of a lineage was shaped partly by his own perspective and partly by the desires, prejudices, and interests of his closest kinsmen and advisers. Marc de Grivel, brother-in-law of Balthazar de Gadagne seigneur de Champroux, was a particularly hawkish influence in the inner sanctum of the Gadagne family. In his interrogation by the Parlement of Paris in December 1611 it was put to him that, after the family had lost a lawsuit against the comte de Charlus, 'he spoke of the lawsuit and of his goodwill for his brothers-in-law, saying that if the seigneur de Champroux pardoned [Charlus], Champroux would have to die'.¹⁰

Such pressures operated in all sorts of different environments. Chrétien de Gommer spent much time discussing the murder of his father in the elevated company he kept. Asking for their advice and counsel also entailed asking for their consent and protection. As the revenge took place in Champagne, where the duc de Guise was governor, it seems likely that at the least his consent was sought. Certainly the duke wrote to the cathedral canons of Rouen strongly supporting Gommer's candidacy for the privilege of Saint-Romain.¹¹ Councils frequently left the kinship group dangerously divided and undecided, especially as disputing groups were often cousins. Claude Bernard was infuriated by his brother's suggestion to their father over dinner concerning a debt: 'do you wish to fight our cousin for that? Listening to you it appears that you love yourself more than you love your kindred.' Not long after this Claude killed his brother.¹²

So far our evidence has come from before the seventeenth century and much of it from the late medieval period. Did the growth of duelling signal a rising individualism that cut across the collective ethos of the kindred? One of the best-documented vengeance killings of the seventeenth century provides a good opportunity to explore the dynamics of family decision making and group solidarity.¹³ On the afternoon of 20 October 1611 Jean de Lévis comte de Charlus, out hunting near his château of Poligny in the Bourbonnais, was attacked and killed by his neighbour Balthazar de Gadagne seigneur de Champroux and his men. Charlus's 15-year-old son and a 12-year-old page were also murdered. The feud between the two families went back a century but turned bloody because of more recent events. Charlus had enjoyed a fearsome reputation during the civil wars of

⁸ AN JJ 261 fo. 33, Nov. 1551.

⁹ AN JJ 266 fo. 50^v, Apr. 1568.

¹⁰ AN X2b 1181, 13 Dec. 1611.

¹¹ Floquet, ii. 436.

¹² AN JJ 251 fo. 140^v, Nov. 1583.

¹³ AN X2b 1181, 8–31 Dec. 1611, 4–14 Mar. 1611; Bibliothèque Sainte-Geneviève MSS 827 fo. 93^v, 1611, and 21 July 1612. Vignon, *La Vendetta des Gadagne*.

the 1580s and 1590s as a commander for the Catholic League, while the Gadagne were the leading royalist family in the Lyonnais. Soon after the pacification of the civil wars in 1595 Charlus was embroiled in a violent dispute with a number of his neighbours, including Champroux, which required the direct intervention of the king.¹⁴ Peace lasted for a number of years, but as so often in French feuds litigation (over the tithe among other things) reopened old wounds and soon became a point of honour—‘I’d rather die than lose this lawsuit,’ said Gadagne. In the summer of 1611 the duc de Nevers arbitrated an accord and the two men exchanged the kiss of peace. But it is clear that many members of the Gadagne clan were unhappy because Charlus did no reparation for mocking their Italian and parvenu origins which had tarnished the whole clan. Renée de Clause in particular, perhaps herself insecure in her parvenu origins, along with her two brothers-in-law, pushed their husband and brother to do something about their insufferable neighbour. Champroux’s resolve was hardened by two further affronts given to him by Charlus in the weeks following their accommodation: ‘the cockerel must be killed’ and the conspiracy was under way. While his wife stayed at home and kept watch in the Bourbonnais, Champroux summoned his brothers and brothers-in-law to a family council in Paris to prevent suspicion being aroused. Along with their cousins and friends, fourteen men were rapidly brought into the conspiracy from as far away as Picardy. With their commensals and hired killers this gang left Paris for the Bourbonnais on 14 October, killing Charlus and his son six days later.¹⁵

MOBILIZING SUPPORT

‘Unlike ad hoc revenge killing that can be an individual matter, feuding involves groups that can be recruited by any number of principles, among which kinship, vicinage, household and clientage are most usual.’¹⁶ Well into the seventeenth century an individual’s power could be measured by the number of men who followed him. At the core of an affinity in orbit around the family council we find the household; its protective role was as important as its function as a projector of display and power. Commensals were expected to give their lives for their lords. In 1592 Christophe d’Alègre, a captain under Henri IV in Normandy, fell out with his fellow royalist François de Montmorency-Hallot over the governorship of Vernon. Alègre resolved to take revenge. To kill a man of such high status was no light undertaking and so he gathered his band of thirteen servants and addressed them: ‘I am off to a place where sword play and fighting will be necessary . . . come with me . . . this assistance you owe me.’¹⁷ Kinsmen required a different

¹⁴ BN MS Fr 3583 fo. 89, 18 Nov. 1595; 3582 fo. 91, 1595.

¹⁵ Evidence from the 1640s shows that revenge was still a collective responsibility: AN X2b 1212, 23 June 1640; APP AB 33 fo. 187.

¹⁶ Miller, *Bloodtaking and Peacemaking*, 180.

¹⁷ Floquet, i. 441.

approach; they had to be supplicated rather than commanded. For six years after he was left for dead, Louis de Poux 'had lived in conflict' with Quentin de Bethencourt. On 11 April 1553 at 8 a.m. he assembled his kin, including his brother, his brother-in-law, and his cousins, at the church of La Motte in the Beauvaisis and gave a speech: 'fired up and remembering the wrong done to him by Quentin . . . he said to those [gathered] . . . my friends over there is the knave who did me wrong. I beseech you that I may have my revenge,' and at that instant he put on his cuirass and his morion and took his halberd, leading the rest with their arquebuses.¹⁸ Marc de Grivel, the most uncompromising of the Gadagne clan, was blunter: 'Companions, do your business well and kill the cockerel, or else do not return to my house.'¹⁹

As we move from the core of the affinity we encounter an assortment of friends and neighbours. The mobilization of the Gadagne affinity acts as a case study of the inducements offered and the pressures brought to bear by the family council on its satellites. Marc Chivet, nicknamed Cadet, deposed to the Parlement of Paris that he had been summoned to the château of Grossouvre on 9 October 1611, where he remained for two days.²⁰ Here its lord, Marc de Grivel, told him, 'Cadet, come and see me in eight or ten days without fail.' Chivet was a minor player and he told his inquisitors that he was not party to the whispered counsels on his return. However, Grivel took him aside into the garden one day saying, 'By God's death Cadet, if you wish to do a good turn for your friends you can do it at this hour.' He went on to say 'that he would never lack for means . . . that he would give him whichever horse he wished from his stable, and gold and silver'. Chivet excused himself by saying that he wanted no quarrel because his lands were bordered by both men. He was then made to swear to secrecy on pain of death or banishment.

The use of lackeys to intimidate and provoke has been outlined in a previous chapter. They could be supplemented by hiring men from the pool of unemployed soldiers, desperadoes, and professional killers for specific purposes. Aware of Charlus's reputation and status as warrior, the Gadagne scoured the taverns of the faubourg Saint-Germain, hiring two ruffians from the Parisian underworld: le Roux nicknamed 'giant' and la Buffetière nicknamed 'big knave'. They were more expendable than faithful family retainers and lackeys. In September 1671 Marie de Hautefort and her younger son, the chevalier de Saint-Nectaire, hired sixty soldiers for the sum of four *livres* a month to guard the château of Privas against her eldest son, Henri. Following his death, Marie paid off two of her soldiers during her flight with a mere two *écus*, prompting them to smash their muskets in disgust: 'Here's fine recompense for having put the rope around our necks in your service.' It was prescient: while the rich made good their escape they were hanged the following March.²¹ It was undoubtedly the knowledge that they would swing

¹⁸ AN JJ 263/1 fo. 360, Oct. 1556.

¹⁹ AN X2b 1181, 5 Mar. 1612, 'testimony of Martial Coulart woolcomber.'

²⁰ AN X2b 1181, 5 Mar. 1612.

²¹ Regné, *Mélanges vivarois*, ii. 32.

before their masters that prompted three teenage lackeys of the Gadagne clan to refuse to take part in the assault on the comte de Charlus; they deserted and hid in a nearby wood.²² Professionals could command higher premiums: the killer of the abbot of Saint-Michel de Tonnerre was paid 32 *écus* in 1575.²³ Bastards are difficult to place with any certainty within the affinity. Some were more loved than legitimate offspring. There is some evidence, notably from the Auvergne, to suggest that bastards were liminal figures in a clan, often used for the dangerous and dirty work of enforcing family policy against neighbouring enemies and problem tenants.

Friendship was a political as well as an affective relationship: the Dardenay brothers rode off to support their cousins in 1535 'stirred by pity because of the proximity of their lineage and friendship'.²⁴ Friends had to be persuaded of the justice of a cause and they, in turn, had difficult choices to make, weighing the obligations they had against self-interest. The weaker the party the more reliance was placed on a patron or on horizontal alliances of friendship: 'it is common enough thing that he who has a quarrel with one greater than himself seeks the favour of some great lord to help him, in order to be supported in all his enterprises.'²⁵ Rochefort could not have conducted his guerrilla activities against the comte d'Harcourt without help; he was fortunate that the count's enemies were so numerous that he was spoiled for choice. First, he joined forces with Desplanches, a wealthy parvenu; next he offered his services to the more powerful comte de Créquy-Berneville; finally he obtained the support of Mazarin, who sent his surgeon and 500 *écus* after he was wounded in a duel with one of Harcourt's supporters.²⁶ Men of higher status might also actively seek out the quarrels of the lowly.²⁷

How many men a lineage could muster depended on its status and the task at hand: the investment of a château required large numbers of men, munitions, and victuals; a carefully planned ambush might only require a handful of motivated killers. The Gadagne could have summoned many more than the twenty-five or so with whom they attacked the comte de Charlus, but it was a well-planned operation and surprise was achieved by keeping the number of conspirators to a minimum. Magnates could raise entire armies for private ends. Possibly the largest concentration of forces in a feud since the Burgundian-Armagnac Wars of the early fifteenth century occurred in the autumn of 1563, following the assassination of François duc de Guise. The Guise family blamed the Protestant leader Coligny, a member of the Montmorency clan, for his murder. In November 1563 the Montmorency forces in and around Paris were put at 8,000–10,000 men by the Venetian ambassador.²⁸ This was to counter the Guise, who had made 'a great assembly both of their kinsman and all others they could muster to accompany them. To which effect they spent the months of August and September last . . . in

²² Vignon, *La Vendetta des Gadagne*, 33.

²³ L'Estoile, *Registre-Journal*, i, 164.

²⁴ AN JJ 248 fo. 51, Mar. 1535.

²⁵ Beraudière, *Combat*, 193.

²⁶ Courtilz de Sandras, *Les Aventures du comte de Rochefort*, 116–33.

²⁷ AN JJ 247 fo. 60, June 1534.

²⁸ BN MSS Italiens 1725, 23 Nov. 1563.

seeking, indeed summoning, princes, lords, gentlemen, captains, and soldiers from all parts.²⁹ Confessional solidarity lay behind the large numbers making up these gatherings. But maintaining large numbers in the field for long strained even the monarchy's resources, and large gatherings were essentially demonstrations of strength, designed to intimidate rather than to unleash violence.

In a border area or during a time of war soldiers and brigands were readily at hand to swell an affinity. Under cover of a writ or royal summons a posse could be assembled, giving a spurious legitimacy to a clan gathering. There is a distinction between the ordinary retinue of a nobleman, his liveried servants and lackeys, and extraordinary musters of kinsmen and tenants who wore his badge only temporarily. We have information on thirty-six musters in feuds in the century before the outbreak of the Wars of Religion, fifteen musters during the Wars of Religion, and seventeen musters in the first half of the seventeenth century. This provides only an impressionistic picture of the changing sizes of retinues, since our sources rarely provide figures. In the first two decades of the reign of Louis XIII it is clear that illicit gatherings of noblemen in the Upper Auvergne were a monthly phenomenon, although most were demonstrations without murderous intent and many others were associated with the princely conspiracies of the period. Gatherings there were so common that the officers of the *maréchaussée* did not bother to record numbers, whereas the magistrates of the Parlement of Paris were interested in figures as an indicator of intent. Gilbert de Pons was pressed by a magistrate in 1588 that he had sent out of enmity twenty to thirty men to assassinate Gaspard de Montservier. Pons replied that he had 'only' seventeen or eighteen men with him.³⁰ Defendants were likely to minimize their followings and plaintiffs to exaggerate.

How large were the ordinary retinues of the majority of nobles before the Wars of Religion? Since the Nozières brothers, his 'capital enemies', were 'always' accompanied by thirteen to fourteen men, Didier Doaulle, a mere esquire and man-at-arms of the seigneur de Bonnivet, had to hire a similar contingent.³¹ Jean de Raillard's enemies were accompanied by seven soldiers on horseback, so he visited a local contractor and hired fifteen soldiers to protect his property. This resulted in 'several assaults and skirmishes'.³² The following of a lesser noblemen, consisting of his closest kin, servants, and retainers, did not usually exceed ten to twenty men, and was often smaller. This remained the norm throughout the period covered by this study. Larger numbers were possible in exceptional circumstances, especially when separate followings amalgamated to produce a larger entity, as we saw in the fusion of anti-Noailles forces in the 1620s. On a smaller scale, François de Massuel, from Brittany, was summoned to the house of the sieur de Cobaz in 1531, where he found the lords of Quebrac, Tigné and his brother,

²⁹ *Brief Discours de tout ce qui a este negotie pour la querelle qui est entre les maisons de Guyse et de Chastillon* (n.p., 1564).

³⁰ AN X2b 1176, 13 Jan. 1588.

³¹ AN JJ 239 fos. 17, 18, Mar. 1526.

³² AN JJ 242 fo. 181, June 1526.

Costardais, la Colombière, and 'other gentle kinsfolk'. Cobaz spoke to Massuel calling him 'cousin and telling him that they were a company banded [together]'. This troop travelled from place to place with a wagonload of arms, picking up men until they were thirty strong.³³ The des Rotours, a minor Lower Norman lineage, were able to muster an impressive forty men in their showdown with the Vauquelin at Guibray fair in 1551.³⁴ Not all men were local. Human flotsam from many nations was washed up in France by the Habsburg–Valois Wars. Before the French descent into Italy in 1494, Jacques de Champagné hired a dozen Germans against his brother in the Maine.³⁵ In 1547 Jean de Lugny *chevalier* supplemented his retinue of local Burgundian nobles with one Dimitri, an Albanian.³⁶ Charles de Saignac's retinue was even more cosmopolitan, containing a Moor and a Spaniard.³⁷

Royal writs could be manipulated by feuding parties, legitimizing excessive force. The baron de Saint-Vidal was informed by his officials of the crimes of his neighbour Laurens de Pouzols, ordinarily accompanied by twenty-five to thirty men. He obtained an arrest warrant, 'beseeching his vassals, neighbours, and friends to accompany him with arms to add might to justice'. Pouzols's château was breached on 27 December 1558 and set alight; its lord was imprisoned at Saint-Vidal, where his body was to be seen four days later floating in the moat.³⁸ If the *maréchaussée* were mobilized even a minor nobleman could field an impressive array. In November 1539 Gilbert de Troussebois's château in the Bourbonnais was besieged by 140 to 160 men supported by cannon.³⁹

Occasionally, civilians swelled the ranks of the professionals. Students and journeymen might be induced to mount a demonstration of force.⁴⁰ When war and brigandage collapsed the boundaries between legitimate and illegitimate force substantial armies were fielded. The wars of succession in fifteenth-century Navarre were complicated by a vicious internal feud manipulated by the great powers of France, Aragon, and Castile. From the 1460s the d'Urtubie had been key Valois supporters in the Basque country and in 1491 they were granted permission by the Grand Conseil, the judicial arm of the king's council, to seize back property currently occupied by Jean de Beaumont. Although they raised 400 men, paid from funds borrowed in Saint-Jean de Luz, they could not retake the châteaux of Sault and d'Urtubie, so they obtained a commission from the comte d'Angoulême, governor of Guyenne, to raise a further 300 men. Beaumont was a dangerous enemy—his brother was the constable of Navarre and also had a royal commission to raise troops, gathering 1,000 men from the regions of Navarre and Albret.⁴¹ These numbers were exceptional and reflect the peculiar circumstances of border regions far from the centre of royal power: even a minor figure such as

³³ AN JJ 246 fo. 46, Feb. 1532.

³⁵ AN JJ 226b fo. 9, Feb. 1492.

³⁷ AN JJ 263/1 fo. 115^v, Mar. 1556.

³⁸ Étienne de Médicis, *Chronique*, ed. A. Chassaing (Le Puy, 1869), 548; AN JJ 264 fo. 1, Jan. 1566.

⁴⁰ AN JJ 225 fo. 12^v, Mar. 1486.

³⁴ AN JJ 261 fo. 234, Nov. 1551.

³⁶ AN JJ 257/3 fo. 157, June 1547.

³⁹ AN JJ 253/2 fo. 20, Feb. 1540.

⁴¹ AN JJ 229 fo. 41, Apr. 1498.

Jean de Martres could raise over a hundred men to enforce his rights to property in the county of Comminges.⁴² These numbers were not unusual elsewhere in the south-west.⁴³ Further north such large numbers were a rare sight before the Wars of Religion: Claude de Bigny had sixty to seventy horse when he killed his enemy in 1520, but he was a substantial figure—his father had been *grand écuyer* under Louis XI and he was himself master of the royal forests and waterways in Berry and captain of the Bastille, and was expected to maintain a large retinue.⁴⁴

The outbreak of civil war in 1562 required each château to have its garrison and each lord to hire men for his protection: the demobilization of the French armies at the end of the Habsburg–Valois Wars ensured a supply of cheap, well-armed, and experienced men. Religious solidarity was also a factor in mobilizing people to aid co-religionists in their private disputes. Nevertheless, numbers continued to be dependent on tactics. In the Alègre–Duprat feud, fought essentially in Paris, neither side was able or felt it necessary to employ more than fifteen men. Had these events taken place in their regional bases in the Lower Auvergne larger forces would have been necessary. Civil war conditions enabled the lesser nobles to muster larger numbers with impunity subject as ever to regional differences. By the 1590s we once again see peasants being mobilized in private disputes.⁴⁵ The west, which saw much of the fighting and which contained a large concentration of petty Huguenot nobles, was especially difficult to pacify: at Mesanger in the pays Nantais in 1564 (a time of peace) there was a battle between thirty nobles and their servants on one side and forty to fifty horse on the other. Antoine de la Chabrolie was attacked and killed by more than eighty men in the Limousin in 1574; Jean Papin sieur de Thevinnière, a petty Angevin noble, maintained over one hundred men on his lands in his dispute with his neighbour in the early 1580s; the Caron family, which was not even noble, deployed twenty-five men under the banner of the Catholic League in attacks on their neighbours in the region of Caen in 1585.⁴⁶ However, the most striking evidence of the power of religion to mobilize support comes from the Angoumois in the mid-1560s. Geoffroy de Livenne, a Huguenot, fell out with the seigneur de la Chaize, a Catholic, over the ownership of a bird. They agreed to settle their dispute in combat with a hundred horse on each side, but the crown intervened to prevent it. This was an impressive number for Livenne; his dowry of 7,000 *livres* in 1564 placing him in the ranks of the comfortable gentry, but way below the 25,000 *livres* figure commanded by the provincial elite.⁴⁷ A zealous Calvinist, his appeal

⁴² AN JJ 243 fo. 11, Mar. 1526.

⁴³ AN JJ 246 fo. 105, Aug. 1553; fo. 118, Aug. 1533; 261 fo. 146, June 1551.

⁴⁴ AN X2a 86, 4 Dec. 1535.

⁴⁵ Eustache Piémont, *Mémoires (1572–1608)*, ed. J. Brun-Durand (Valence, 1885), 269.

⁴⁶ AD Corrèze E supp. B4 fo. 212, 19 May 1574; AN X2a 1394 fo. 221^v, 15 June 1585; AD Seine-Maritime G 3503, May 1582; 1B 3203, 14 Jan. 1586. The seigneur d'Espinay deployed 100 to 120 horse against Jean de Crovillon in Anjou in the 1570s: Imbert, 'Les Grand Jours de Poitou', 185.

⁴⁷ Imbert, 'Les Grands Jours de Poitou', pp. ix–x; J. Beauchet-Filleau, *Dictionnaire historique et généalogique des familles du Poitou*, 6 vols. to date (Fontenay Le Comte, 1891–), vi. 192.

to confessional solidarity enabled him to punch above his weight in disputes with his neighbours.

Political instability in the seventeenth century necessitated large retinues. Gramont fielded 1,200–1,500 men in Béarn against the la Force in 1613. Magnates in the west, like la Rochefoucauld, Saint-Germain de Beaupré, and la Trémoille, could generate similar numbers.⁴⁸ They would however have been unable to maintain these men in the field for long. The anti-Noailles coalition of d'Escars and Conros reached 400 men, but it was an exception even in the Upper Auvergne.⁴⁹ Large musters of men were not common north of the Loire—revenge killings did not require many men and encounters between noblemen in the seventeenth century usually involved no more than a dozen men. There were exceptions. In 1637 the Beauxoncles employed a hundred men armed with 'pistols, carbines, swords [and other] arms' for a showdown with their neighbours in the Vendômois.⁵⁰ Larger numbers were a sign of escalation. In 1641 the Bar family from the Lower Limousin initially fought with and killed the seigneur de Roziers, who had five men. The Roziers family then employed twenty-nine musketeers to retaliate. When this proved insufficient they obtained an arrest warrant from the privy council and with the vice-seneschal of Brive besieged the château of Cluzeau for twelve days with 200–300 men.⁵¹ The chaos of the 1650s once more necessitated the hiring of soldiers and the garrisoning of châteaux. But events could go beyond this. After the Frondes the comte de Créquy-Berneville and the marquis de Sourdéac, whose strongholds in Lower Normandy were only 3 kilometres apart, each raised 1,500 men. Créquy made an unsuccessful attack on château Neufbourg.⁵² Even in the peaceful 1660s tenants were mustered to take revenge. In 1667, 400 men with pistols, swords, and pitchforks were assembled after the baron de Chateaufort had been killed by the Segonzac family.⁵³ Private armies raised for private ends were still a feature of the noble feud in the Vivarais in the 1670s.⁵⁴

SURPRISE AND DISGUISE

Surprise obviated the need for numbers. Illegal assemblies were treasonous, expensive, and rapidly attracted the attention of the royal authorities. To kill rather than terrify an opponent surprise and secrecy were vital. The carefully

⁴⁸ Caumont de la Force, *Mémoires*, ii. 60; Y.-M. Bercé, *Histoire des croquants: étude des soulèvements populaires au XVII^e siècle dans le sud-ouest de la France*, 2 vols. (Paris: Gallimard, 1974), 120.

⁴⁹ AD Cantal, Fonds de Comblat, 10 Mar. 1617. More representative of the Auvergne in this period are the twenty to thirty men who followed the seigneur de Saint-Herem in 1601; the seven or eight arquebusiers drilled by the seigneur de Montvallat in 1611; or the forty to fifty men mustered by the seigneur du Colombier in 1617.

⁵⁰ AN X2b 1209, 9 Sept. 1638.

⁵¹ BN NA Fr 21708 fo. 53, June 1654.

⁵² Courtitz de Sandras, *Les Aventures du comte de Rochefort*, 126.

⁵³ AD Creuse E 403, 12 Mar. 1668.

⁵⁴ See above, p. 33.

prepared assassination aimed to take its victim unawares, preferably when he was poorly mounted and accompanied. The murder of Louis d'Orléans in 1407, the most famous assassination in the late medieval period, was carried out in Paris by a dozen masked men. It was an expert attack: Louis was mounted on a mule and the assassins made good use of the darkness and surprise, all but one of his valets fled in the confusion, and the duke was easily dispatched. Jean de la Taille recounts an event from the 1570s in which trickery produced overwhelming odds. Twins César and Scipon de Languejoue accepted a challenge from the Vautier brothers to a duel, and they turned up at the appointed place with no more than eight men as stipulated. The Vautier appeared on the scene with fifty to sixty heavily armed men: the Languejoue and their men were completely overwhelmed by this ruse.⁵⁵ In 1595 Jean de Lostanges was ambushed by Jean de Ferrières-Sauvebeuf and five men 'under the cover and pretext of good intentions [and] a false and dissimulating faithful friendship'.⁵⁶

Some environments were more favourable for an ambush than others. The victim's movements had to be studied without arousing suspicion. The comte de Charlus was taken by surprise because the Gadagne had a spy watching his hunting routine, and knew precisely when and where to strike. In 1656 the comte de Saint-Aignan was 'jumped' by four men with pistols as he strolled alone near his château in Touraine; they proved incompetent however and he escaped.⁵⁷ Roadside trees and hedges provided natural cover. The Gouzel clan managed to kill six men on the Clermont to Riom highway in 1657 without reply because they had been well hidden in the bordering hemp fields.⁵⁸ Although attacks on the royal highways carried the severe penalty of breaking on the wheel, it was a favoured environment because it permitted the attacker to represent events as fortuitous when applying for pardon letters. We are fortunate to have a particularly vivid description of the trap set by François de Rochechouart marquis de Bonnivet for his brother-in-law René d'Averton comte de Belin. Bonnivet had already turned down a duel on the grounds of consanguinity. On the afternoon of 6 December 1642 he and two accomplices each armed with two pistols waited for their victim in the doorway of the Benedictine house at Le Roule, just beyond the porte Saint-Honoré and long since swallowed up by the capital. After a long wait they entered a tavern to ask for a good vantage point of the road, from where they carefully worked out their plan of attack, pinning their victim and his lackey against a wall and leaving their horses little room for manoeuvre.

However antithetical to chivalric culture during the Middle Ages, the cold-blooded assassination carried out by stealth was undoubtedly more common than the sparse sources suggest. Jean the Fearless and Louis d'Orléans were only the

⁵⁵ La Taille, *Discours notables des duels*, 96–101.

⁵⁶ Huet, *Ferrières-Sauvebeuf*, 233.

⁵⁷ Granges de Surgères, *Gazette*, i. 286–7.

⁵⁸ G. du Ranquet, 'En marge des mémoires de Fléchier sur les grands jours d'Auvergne', *Bulletin scientifique et historique de l'Auvergne*, 31 (1950), 56–68.



FIG 5.1. Assassination by night in a town square. From Jean Milles de Souvigny, *Praxis Criminis Persequendi* (Paris, 1541). By permission of the Warden and Fellows of Merton College, Oxford.

most famous victims of a more widespread phenomenon.⁵⁹ In rural areas the feigned hunt provided the attacker with a good chance of surprise and justified an armed assembly. The ill-lit narrow streets of the pre-modern town were perfect for assassins wishing to retain their anonymity. Politics and business forced enemies who would have otherwise avoided each other into close proximity. The dispute in Picardy between the duc d'Elbeuf and the marquis de Villequier spilled over into Paris in 1658 when their respective coaches met in the rue du Grand Chantier in the Marais. In the ensuing mêlée Elbeuf was wounded and forced to shelter in the residence of president Molé.⁶⁰ But it was the sixteenth-century religious upheavals that led to a rash of assassinations and vendetta killings in Paris, coinciding with the sedentary court of Henri III based in the capital. Paris's maze of streets gave an attacker particular advantages as the geography of the Alègre–Duprat feud shows.⁶¹ On 16 or 17 March 1565 Antoine Duprat, his brother, and sixteen men ambushed Christophe d'Alègre with only three or four men on the Quai des Augustins. On 8 April, Antoine, Christophe's younger brother, accompanied by eight men, entered the courtyard of his enemy's residence on the place Saint-André des Arts and cut him down in front of his wife and mother-in-law. Antoine d'Alègre narrowly missed being shot outside the Louvre in 1570 and was murdered three years later on the Quai des Augustins by Guillaume Duprat baron de Vitteaux. Vitteaux was himself attacked by ten horsemen in the rue Saint-Germain in 1583.

However, in the majority of cases, far from seeking anonymity and disguise, attackers sought vengeance in the most public fashion possible. Churches, apart from being sites of contested precedence, were the scene of numerous murders and assaults—attacks taking place either during the service or as victims were leaving. Over fifty such instances of noble violence from the 1470s to the 1660s occurred in or in the grounds of a church. Contemporaries were well aware of the gravity of the sacrilege they were committing. After the sentence of death was read out to Hugues de Sacqueray in the prison of the conciergerie in Paris on 21 March 1603 and after he had made a public confession, it was put to the condemned that 'he could have taken his due in a place other than a church on a holy day with all the congregation present'. To which he merely replied: 'the place hath made me dead.'⁶² While noblemen rarely suffered the death penalty for killing seigneurial officials, René de Couesnon was executed swiftly by the Great Assizes of Poitou in 1634 for a murder in the church of Chavaignes, 'the holy sacrament [being] on the

⁵⁹ See, for example, the murder in 1345 of Walter de Mohun, who had killed a member of the Mirepoix family in a tournament: 'he was slayne and muredred, and no man knew who did it; howbeit, they of the that lynage [the Mirepoix] were helde suspect in the mater, but they were so stronge and made such ezcuses, that the matter past, for ther was none that wold pursue the lorde of Mannes [Mohun] quarell': Froissart, *Chronicles*, i. 253. See also: AN JJ 198 fo. 25^v, Dec. 1461; 209 fo. 98, 19 Apr. 1480.

⁶⁰ AN X2b 1250, 8 Aug. 1650. It is unclear whether this was a pre-arranged affair.

⁶¹ Vaissière, *Les d'Alègre*.

⁶² AN X2b 1330, 21 Mar. 1603.

altar'. Attitudes had hardened since the end of the fifteenth century when Charles de Sabrevois rebuilt the church of Richebourg as penance for killing its priest on the steps of the altar.⁶³

Churches were arenas of violence for two reasons over and above conflicts of precedence. The simplest explanation is that the parish church was the one place in the community where it was impossible to avoid an enemy. Church services in the early modern period were social as well as spiritual occasions, where gossip was exchanged and business deals discussed. Noblemen in enmity with their neighbours would arrive with armed minders and concealed weapons. Guyon de Saint-Julien was fortunate to see the pistols of the four men sent to kill him under their cloaks as they knelt to pray.⁶⁴ In January 1606 Robert Cottard had an argument in the cathedral of Séez with Pierre Brunet, an adversary in a lawsuit, as mass was conducted by the bishop. The cathedral erupted in confusion as Brunet's kinsmen tried to raise a hue and cry and make an arrest during the course of which he was hit on the head with an aspergillum.⁶⁵ Intra-family divisions must have been especially dreaded by the community. Witnesses in the trial of Pierre le Breton in 1601 were clear that he and his relative François le Breton had forbidden their men to have anything to do with each other. But the two men could not avoid meeting for ever and at a funeral in the church of Origny they argued. Nevertheless, François did not draw his sword on his kinsman 'not having come [to church] for that purpose, and as they would settle their differences in another place'.⁶⁶ Churches were ideal places for an ambush, especially during the act of worship. In 1557 Jean de Ravalet shot and badly wounded Raffoville in the church of Saint-Pierre (Cotentin) 'as the lesson was being read'.⁶⁷ Jean Abot vicomte of Mortagne in the Perche described how at Pentecost in 1578 'kneeling and hearing the mass' in the church of Mortagne 'eight masked men entered and fired several arquebus and pistol shots at him and ran him through with several sword blows, piercing his lower stomach and other parts of his body and leaving him for dead; having shed his blood in several parts of the church even sullyng the priest's ornaments which stopped him from celebrating mass'.⁶⁸

When enemies faced up to each other in church and baptismal fonts and pews were turned into makeshift barricades, a peaceful resolution depended on the priest's charisma and quick-wittedness.⁶⁹ One of the most vivid accounts of combat in and around a church comes from Lalande-en-Son in the Île-de-France in 1657. There had been dissension between Louis de Rouvray and his brother-in-law Jean de Bouton sieur de Chantemesle for a number of years when in the summer of 1657 their relationship broke down. On 28 August while mass was being

⁶³ A. Rabourdin, *Les Sabrevois à Richebourg* (Rambouillet: Leroy, 1936), 8.

⁶⁴ AN JJ 261 fo. 272, Sept. 1551. See also: AN JJ 253/1 fo. 5, May 1540; X2b 1189, 11 May 1626.

⁶⁵ AD Seine-Maritime G 3504, 2 May 1606.

⁶⁶ AN X2b 1178, 19, 20 Apr. and 6 July 1601.

⁶⁸ AN X2a 1393 fo. 2^v, 24 Nov. 1582.

⁶⁷ Gouberville, *Journal*, ii, 381.

⁶⁹ For the use of a baptismal font: AN JJ 225 fo. 139^v, 1489.

sung Louis and his brother Claude and Bouton and his valet, carrying an arquebus, left the church to quit their quarrel in the cemetery. Witnesses heard four shots and saw the Rouvray brothers re-enter the church. Louis then advanced on his sister and, repeatedly shouting 'whore', struck her with the flat of his sword, breaking it in the act, and threatened to strangle her. She, bleeding from a wound in her neck, fled in terror and took refuge behind the great altar, crying 'My God! My God!' The priest removed his chasuble and placed himself between the siblings.⁷⁰ The priest of Barbuise in the Brie was either a more phlegmatic or a more timid character; he had just reached the canon when Louis de Barlier was gunned down, but soldiered on despite the commotion.⁷¹

Ambushes outside a church were also common.⁷² Even after the Frondes such attacks were not unknown in the capital. Arrest warrants were much more likely to be successfully served in a church than in a strongly fortified château, and surprise was often complete.⁷³ But where surprise was not achieved the consequences might be bloody. Timoléon des Boves, governor of Mantes, 'a petty tyrant who acted with impunity as if he had been in Bigorre', had already escaped from the prisons of For Levêque in Paris in 1641.⁷⁴ A first attempt at rearrest, effected by his neighbour and fifteen men outside the church of Gravelle, had ended with the attackers being beaten off with the loss of one man. Next time with the provost of Étampes and a small army, consisting of eighty horse and thirty-six foot, they were more successful, arresting their man during mass.⁷⁵

Cemeteries were convenient spots for duels, where challenges could be publicly proclaimed, while at the same time permitting intervention by the community to forestall bloodletting.⁷⁶ Another practical consideration was that the initial investigation might be conducted by a priest on behalf of the church courts, a much less serious proposition for defendants than the secular courts.⁷⁷ Vincent Barbançon and Jacques Dorléans displayed great sensitivity in their choice of venue when they met at the church of Pruniers on Sunday 2 August 1587, leaving the church and crossing a river to fight beyond the jurisdiction of the seigneurie in which they stood. They were aware—like Jean de la Châtre, who told his brother to come out of the cemetery if he wished to fight—that they were committing sacrilege.⁷⁸

Churches were chosen as arenas of violence not simply for their utility. Jacob Burckhardt's otherwise memorable description of princely assassinations in

⁷⁰ AD Seine-Maritime G 5010, 22 Sept. 1657; 5012, 15 Oct. 1657.

⁷¹ Haton, *Mémoires*, i. 1–2.

⁷² BN MS Fr 21711 no. 1464, June 1654. See also: Floquet, i. 288.

⁷³ AN JJ 247 fo. 7, Apr. 1534. See also G. le Hardy, *Aunay-sur-Odon*, 107.

⁷⁴ Tallement des Réaux, vi. 198–9.

⁷⁵ AN X2b 1221, 1 Mar. 1644. For an incident at Saint-Yrieux in 1624: L. Guibert, *Livres de raison, registres de famille et journaux limousins et marchois* (Paris, 1888), 129.

⁷⁶ AN X2b 1205, 27 Sept. 1636; AN JJ 257/2 fo. 35^v, Mar. 1546. See also AN J 261 fo. 87, Apr. 1551; 261 fo. 230, Aug. 1551; 262 fo. 380, Dec. 1553.

⁷⁷ AD Seine-Maritime G 5008, 24 May 1660.

⁷⁸ AN JJ 259 fo. 299, Oct. 1549.

churches in Renaissance Italy is silent on the symbolism of these dramas, the public nature of which shrouded murder in specious legitimacy. While no one as grand as a Sforza or a Visconti was killed in France while at prayer, provincial power struggles do reveal similarities with the Italian scene. The highest-ranking Norman murdered in the sixteenth century, Jean IV baron de Clères, killed in a premeditated attack, along with his brother-in-law, in a Caen church when the king was resident in 1563, was highly significant for local politics: while the Clères never regained the position they had once enjoyed, it confirmed the ascent of the killers, the Harcourt-Beuvron, a family closely tied to the Valois interest, to the very top of Norman society.⁷⁹ We are better informed about the murder of Philibert comte d'Apchier, seneschal of Mende, who was apparently unaware that the manner of his death had been foretold by Nostradamus. In 1605 he quarrelled with Annet, younger brother of the vicomte de Polignac, over precedence in the Estates of Gévaudan. Their animosity ran deeper than this: Apchier had been the leading light of the Catholic League in the Upper Auvergne and Gévaudan, while the Polignac had been staunch royalists.⁸⁰ Apchier, kneeling in a chapel after the offertory, was shot in the back, causing the priest to rush into the sacristy with his chalice.⁸¹ It is instructive that such a heinous act did not prevent the Apchier sealing their regional hegemony, though Annet was tried and executed in Toulouse in February 1605. The widow's indemnity was set at a paltry 1,500 *livres*.⁸²

The growing fashion for travelling in carriages in the seventeenth century made the occupants slow-moving vulnerable targets, as France discovered to its great loss. Henri IV's assassination was pre-empted as early as 1579 when a botched attempt on the life of Jean VI d'Aumont left him unscathed but his travelling companion dead.⁸³ In 1634 masked assassins slashed the hamstrings of the vicomte de Tignery's coach horses, leaving the occupant at their mercy.⁸⁴ This sort of occurrence continued into the reign of Louis XIV, claiming men of high status such as the marquis de Fors in 1663, brother-in-law of the duc de Richelieu.⁸⁵ If a target could not be taken unawares in the open then the more risky and costly tactic of attacking him at home would have to be attempted. Sieges in private quarrels were naturally much more common during periods of civil war. François d'Aubeterre, a major Protestant captain, faced particular problems because his inheritance was contested by his Catholic kinsmen. In 1573 he wrote to the governor of Guyenne 'that against my will I have been constrained to gather around me men lacking discretion to guard me against my enemies who, under pretext of the current troubles, have endeavoured and will endeavour again to chase me out of

⁷⁹ AD Seine-Maritime 7J 8, 7 Sept. 1564.

⁸⁰ The rivalry was much older: Médicis, *Chronique*, 252.

⁸¹ For another version: Burel, *Mémoires*, 493.

⁸² A. Jacotin, *Preuves de la maison de Polignac*, 5 vols. (Paris: Leroux, 1898–1906), iii. 149.

⁸³ L'Estoile, *Registre-journal*, iii. 31.

⁸⁴ Granges de Surgères, *Gazette*, iii. 698.

⁸⁵ BN Morel de Thoisy 381 fo. 246. See also A. Lublinskaya (ed.), *Lettres et mémoires adressés au chancelier P. Séguier (1633–1649)*, 2 vols. (Moscow, 1966–80), ii. 52.

my house'.⁸⁶ Not long afterwards Aubeterre was murdered in his bed. Night attacks by stealth in disguise were viewed as a particularly heinous and contrary to the laws of honour. Concealed violence was illegitimate in all circumstances and secrecy associated with sorcery; this did not prevent murderers receiving pardons for what were technically irredeemable acts. Six years after he had been wounded by his near neighbour the sieur de la Landre in 1567, Claude du Lac and his brothers took their revenge at Christmas 1573 when their prey was alone, slipping into his château at 7 a.m. and surprising him as he slept.⁸⁷

The collapse of chivalric values led to a more ruthless and unprincipled attitude to blood taking. The baron de Vitteaux killed Antoine d'Alègre unawares as he was relieving himself—a shameless but not unfamiliar ploy during the civil wars.⁸⁸ The assassin employed by Louis III de la Trémoille (1521–77) stabbed his target in the back as he urinated against a wall near the royal apartments with the words 'Monsieur, it's up to me whether I [strike] you in the face or through the body; this here will have to suffice and show you that I am a man of worth and honour.'⁸⁹ In September 1587, the diarist l'Estoile reports that, four years after he had avenged the murder of his uncle, Yves IV d'Alègre was the target of one of the most bizarre assassination attempts in early modern France:

Today in Paris a Norman called Chantepie was broken on the wheel for having sent a lackey to the sieur de Meilhaud-Alègre with a box, fashioned by himself, in which thirty-six pistol barrels, each charged with two balls, were placed within and a spring lock fixed in such a way that once released it let off the pistols.⁹⁰

Astonishingly the contraption worked, but missed its intended target, slightly wounding a servant. Suspicion soon fell on Alègre's sister, the lover of Chantepie, who confessed to the crime.

FROM DISGUISE TO CONCEALMENT

Vitteaux was not only one of the most celebrated and stylish of sixteenth-century duellists, he was also a master of disguise. Striking Antoine d'Alègre while he relieved himself was not fortuitous, for he knew his victim's habits and routine, having staked out his Paris address for two weeks dressed as a lawyer, 'letting his beard grow very long so that he was unrecognisable'.⁹¹ Evidence for disguise is rare and largely confined to the fifteenth century. In 1458 Mathurin d'Appelvoisin left

⁸⁶ E. Gaillardon, 'Notes biographiques sur les seigneurs d'Aubeterre au XVI^e siècle', *Bulletins et mémoires de la Société Archéologique et Historique de la Charente*, 4 (1913), 71.

⁸⁷ AD Seine-Maritime G 3503 fo. 13, 1575; Floquet, i. 326.

⁸⁸ P. de Vaissière, *De quelques assassins* (Paris: Emile-Paul, 1912), 11–12.

⁸⁹ Brantôme, vi. 482.

⁹⁰ Pierre de l'Estoile, *Journal du règne de Henri III*, ed. L.-R. Lefèvre (Paris: Gallimard, 1943), i. 503.

⁹¹ Brantôme, vi. 331–2.

the siege of Hector Rousseau's house to return the following day dressed in a white monk's cowl. There is a suggestion in his trial that when his co-conspirator resolved to burn down Rousseau's house, Appelvoisin wavered in his resolve and was reminded of the oath he had made. The cowl was a disguise and also an insurance policy—he later pleaded benefit of clergy.⁹² In general, disguise consisted of secular garb. The killers of Domange de Pujols 'were each dressed in a hood [*chappe*] as a habit of dissimulation so that they could not be recognized'.⁹³ The only evidence of disguise used in the act of murder beyond the fifteenth century comes from the Perche in 1601. René de Gaubert, who disputed feudal rights with René de Langhan, was tricked into making a visit to the Langhan residence. He was lulled into a false sense of security by the family tutor 'who was dressed in women's clothes in order to carry out the murder, impersonating the daughter of the accused [Langhan] and asked the deceased if he would keep his vow [of marriage?], to which Gaubert replied "yes, if she was a worthy maiden" and other words, at which Gaubert was killed'.⁹⁴ Before this is dismissed as an invention worthy of Shakespeare, we should remember that our ancestors were much more comfortable with cross-dressing than ourselves. It is perfectly conceivable, since Jean de Saint-Germain confessed it in 1497, for example, that Marguerite de Beaugrant was abducted by the Saint-Germain family from Guillaume de Manny's household without the consent of her family, and in order to conceal her presence she lived among them disguised as a priest 'and had a beard fashioned like man and called herself Messire Michel and betrothed a man called Pierre Panceau to a woman called Marion'.⁹⁵ Although these events also took place in the Perche, it should not lead us to speculate about regional peculiarities.

In general, disguise fell out of favour before the Wars of Religion to be replaced by the wearing of masks.⁹⁶ The prison break-out arranged in 1660 by 'two or three masked men with false noses and beards' seems to have been highly unusual. The term mask in our documents generally refers to a scarf or cloth rather than the attire worn at carnival. Their use in assassinations—leaving aside the assassination of Louis d'Orléans—first appears with regularity during the Wars of Religion and became more common during the seventeenth century. That master of disguise, Vitteaux, may have been responsible for the growing popularity of the masked attack when he led a troop of assassins against the royal favourite du Guast in 1575, surprising him in his house in the rue Saint-Honoré as he was clipping his toenails. This marked the beginning of a period of bloodletting at court generated by the struggle between Henri III and his younger brother and heir François duc d'Alençon.⁹⁷ However, the first half of

⁹² Guerin, 'Recueil des documents', pp. xxiv, xxvii.

⁹³ AN JJ 231 fo. 203, 1498.

⁹⁴ AN X2b 1181, 2 Mar. 1611.

⁹⁵ AN JJ 227 fo. 265, May 1497.

⁹⁶ AD Creuse E 223, May 1563. For an earlier instance: AN JJ 262 fo. 245^v, Aug. 1553.

⁹⁷ For similar attacks in the provinces: Guillaume and Michel le Riche, *Journal de 1534 à 1586*, ed. A-D. de la Fontenelle de Vaudoré (Saint-Maixent, 1846), 350; AN X2a 1393 fo. 2, Nov. 1582.

the seventeenth century provides us with the majority of our evidence. It was the classic age of the masked assassin.⁹⁸

The mask did not have the same purpose as the disguise, which allowed the attacker to get close to his victim unawares; it was rather a means of avoiding recognition by witnesses whose testimony played the most important part in the investigative process. Hence the peculiar chronology in the shift from disguise to concealment. Two interconnected early sixteenth-century developments would seem to be significant. The growing use of easily concealed pistols by mid-century increased the chances of surprise and made disguise less necessary. However, the extension and systemization of the powers of the provosts of the marshals (*prévôts des maréchaux*) in the 1530s helped to make attacks on the highway, if not less common, at least more likely to be investigated with vigour. Of course, most noblemen eschewed such methods as ignominious and dishonourable, and face-to-face encounters were much more common. But the existence of masked assassins during and after the Wars of Religion again points to the erosion of traditional chivalric values.

ESCAPE

Killers from the social elite were probably different from their social inferiors in that once they had committed a crime they invariably fled further afield. Letters of remission consistently stated that, although supplicants, had acted only after provocation and without malice aforethought, they had fled their home region fearing 'rigueur de justice'. Nobles fled because they possessed the resources and because service far from home was possible. Patrons and protectors were expected to harbour miscreant clients and kinsmen. Those who did not flee were either foolhardy or too powerful and beyond the reach of the local justice system. To the discomfort of those, like Charles le Forestier, who spent the winter of 1640 hiding in the woods, was added the dishonour of appearing to behave like a common criminal.⁹⁹ The medieval practice of taking sanctuary in a church had not completely fallen into abeyance. In 1541, for example, following his interrogation by the magistrates, Jean Fourneaulx was sent back to the shelter of the church in Évreux in which he had taken refuge after the murder of Robert Mahiet. But it is quite clear from the high incidence of violence in churches that the forces of order were unlikely to respect sanctuary. Most of the killers of Guyot de Bourdeille fled Périgord in 1489, except one who was arrested, having taken

⁹⁸ AN X2b 1180, 24 Nov. 1608; 1201, 26 June 1634; AD Cantal, Fonds de Comblat, 30 July 1631, 18 Feb. 1647, 18 Mar. 1652; Granges de Surgères, *Gazette*, iii. 698, 9 Apr. 1634; *Généalogie de la maison d'Auzolles* (Saint-Flour, 1889), 40; *Discours a Messieurs du Presidial d'Alencon par dame Gabriell-Aymerie-Heslie de La Rochesart vefve de Deffunt Francois de La Broe ecuyer sieur de Vareilles* (1664).

⁹⁹ AD Seine-Maritime G 3504, 11 May 1649.

refuge in Saint-François, Aubeterre.¹⁰⁰ René de Bonneuil was dragged from the abbey of Saint-Victor, where he had taken refuge, and executed some months later.¹⁰¹

A favoured ploy was to join the royal army for a time after a crime had been committed, paving the way for an application for pardon in which loyalty and service to the monarchy were foregrounded. Service with a foreign prince was also a possibility. The favoured destination for exiles was, unsurprisingly, Italy. In the first half of the sixteenth century, when Milan and Piedmont were under French control, there were career opportunities for an exile. Pardon letters issued by the chancery in Paris could even be registered by the Parlement briefly established by the French in Turin.¹⁰² Even northern lineages, like the Dinteville, preferred the distractions of Venice.¹⁰³ Italy had spiritual, educational, and recreational attractions for the social elite. The Gadagne family had originally been exiled by the Medici in the fifteenth century and retained close ties to their homeland: the two younger brothers of Balthazar de Gadagne acquired their military experience with the grand duke of Tuscany.¹⁰⁴ After Charlus's murder all three brothers fled the 240 kilometres from Champroux in the Bourbonnais to the Franche-Comté with the help of a sympathetic captain of the royal guard.¹⁰⁵ From here they travelled to Italy. Guillaume probably returned to Tuscany to take up his command of the grand duke's galleys once again, before dying in 1618. Despite the legal proceedings against him the youngest brother, Claude, continued to live a normal family life. Legal separation from his wife was a formality designed to protect his property from confiscation. She visited him at least twice in Italy and both times returned home to give birth. Claude even returned occasionally to the Lyonnais, despite the death sentence against him, on business. Pardoned in 1621, he returned to France and re-entered royal service. Although he was also pardoned, Balthazar settled in Italy, serving as *maréchal de camp* to the duke of Savoy and captain of a regiment of foot. In 1635, a year before his death, he raised a regiment for the duke of Parma.¹⁰⁶

The truly contrite could make the pilgrimage to Rome in the hope of obtaining papal letters of abolition in return for some act of penance, though these had little force in French courts.¹⁰⁷ One of the murderers of the baron de Hertré, governor of Alençon, who fled to Rome, the sieur de la Rozière, confessed in Saint Peter's to a papal penitentiary and a Jesuit who it was said (perhaps in an appeal to the anti-Jesuit prejudices of the Parisian magistrates) was well known to the French community in Italy; his partner in crime, the curé of Fresnay, was said to have spent

¹⁰⁰ AN JJ 220 fo. 129^v, Oct. 1489.

¹⁰¹ *Journal d'un bourgeois de Paris sous François I^{er}*, ed. P. Joutard (Paris: Union Générale d'Éditions, 1962), 105.

¹⁰² AN JJ 261/1 fo. 409, Oct. 1556.

¹⁰³ Brown, 'Sodomy, honor, treason and exile.'

¹⁰⁴ Bibliothèque Sainte-Geneviève MS 827 93^v.

¹⁰⁵ Vignon, *La Vendetta des Gadagne*, 65.

¹⁰⁶ BN Cabinet d'Hozier 153 fo. 29^v.

¹⁰⁷ Rabourdin, *Les Sabrevois*, 8; Martel, *Julien et Marguerite de Ravalet*, 56.

two days with his confessor and his penance was exclusion from celebrating mass.¹⁰⁸ For la Rozière the trip to Rome provided only spiritual comfort. On Tuesday, 13 February 1613 he was broken on the wheel in Paris, his torso displayed in the capital, and his head sent for display in the Maine.

All roads did not lead to Rome. Political and personal circumstances also played a factor in the choice of refuge. The exile of Richelieu's princely enemies in the 1630s provided a centre of opposition in Brussels that attracted a large number of reprobates whose squabbles, duels, and disputes were reported with glee by official newsletters.¹⁰⁹ Geographic ties were also a not negligible factor in the search for convenient and sympathetic refuge: south-western magnates like the marquis de Vaillac in 1670 chose Spain; the son of the *bailli* of Sens chose service with the House of Austria after fighting a duel at the end of the sixteenth century; Normans looked to England—even the intolerant regime of Cromwell was an option for the Catholic sieur de Moufflaines.¹¹⁰

CONCLUSION

Vengeance was a risky matter and not one to be taken without the support of one's kinsmen. The dynamics of family decision making and group solidarity were complex. Pressures on the head of the clan to pursue his enemy came from within the kin group and had to be reconciled with external political factors requiring caution. Not all vindictory exchanges were planned. Young hot-heads hoping to win renown in particular had the propensity to scupper a cautious response. Contemporaries were unanimous in the fundamental contribution of patriarchy to good order. The formation, mobilization, and control of the wider affinity also required careful management. Of course, material factors were integral to noble power but we should also not neglect the role of charisma in mobilizing support and providing an *esprit de corps*. Charisma could emanate from a family as well as an individual, and was more likely to be associated with a united family. And family solidarity remained the best way to offset the pernicious consequences of unforeseen events, ill-judged clashes, and disproportionate responses. The kindred protected the outlaw and sustained the exile, lobbying for letters of pardon and negotiating a settlement.

¹⁰⁸ AN X2b 1181, 21 Sept. 1612.

¹⁰⁹ Collected in BN MS Fr 21811 fo. 8.

¹¹⁰ L. Massip, *Cançon en Agenais: histoire de la ville et ses seigneurs* (Agen, 1891), 192–3; Chenaye-Desbois, xvii. 152; AN X2b 1228, 7 Nov. 1647.

6

Combat

Battles have provided the raw material for the most gripping historical narratives since the Greeks. They fulfil our desire for stories of heroic deeds and set the standards by which duty, bravery, and fortitude are judged. Until recently, however, modern historians have been more reticent than Homer in exploring the nature of killing and how it was experienced and perceived. This chapter and the one that follows grapple with the realities of Renaissance combat. Now, more than ever, we should be aware of the limitations of our sources. Self-reflexive accounts which ponder the existential and moral questions posed by killing are absent; rather they are justificatory, pleading provocation or self-defence. Eyewitnesses not only had different vantage points but different interpretations of the events.

David Riches's notion that analysis of any violent act must recognize the tripartite relationship between victim, aggressor, and onlooker (magistrate, witness, or historian) will help in guiding us through the interpretative minefield.¹ Sidney Anglo's study of Renaissance fighting manuals has shown that the Renaissance masters of arms were not teaching the noble art of defence; they were not the forerunners of the nineteenth-century fencing masters who codified the art of killing into a sport. Sword fighting during the Renaissance was predominantly offensive—it taught how to kill as rapidly and as efficiently as possible. The key to self-defence was to seize the initiative; relentless thrusting and cutting blows prevented the possibility of a counter-attack. The best form of defence is attack—strike first and ask questions later. Without armour combats were likely to be short, speed and surprise essential to survival. This is significant because accused under interrogation and supplicants for letters of pardon invariably painted killing as an involuntary act of self-defence. The partial and self-justificatory accounts of the participants are exposed where we can compare eyewitnesses, judicial inquests, and surgeon's reports. This occurred when pardon tales were challenged in court and had to be reissued with a much fuller explication (*amplification*), taking into account the story of the victim uncovered by the judicial inquest. Compare the two following pardon tales recounted by Jean de la Châtre. The first was issued in Paris in August 1539 and addressed to the royal courts at Issoudun. Jean had

¹ D. Riches, 'The phenomenon of violence', in D. Riches (ed.), *The Anthropology of Violence* (Oxford: Blackwell, 1986).

already been attacked by his younger brother Pierre, a knight of Saint John, once that day when he was confronted again in the village of Thévet Saint-Julien:

[Pierre] persevering in his anger and bloody emotion as he was and had been all day long, came right up to the supplicant holding a naked sword in his hand ready to deliberately kill and do outrage if the supplicant had not taken guard. So the supplicant, seeing Pierre's ill-will got off his horse, saying to Pierre his brother that he had done enough and it seemed [to him] that [Pierre] wished to act in good faith. As he said this Pierre rained several blows of his sword on the supplicant who parried the blows without wishing to cause injury. The supplicant did not know how Pierre's sword fell to the ground . . . and not wishing to injure him he said to his brother that it was enough . . . and let him pick up his sword, and this done Pierre rained great blows on the supplicant who still parried them with his sword and in this fight Pierre seized the supplicant's collar who dropped his sword and then Pierre rained several blows on the supplicant who turned and was chased three or four times around a cross, and as the supplicant stooped to pick [up his sword] Pierre caught him at a disadvantage and struck him with such a huge blow on his shoulder that the wound later required four stitches from a barber-surgeon, and thus being so wounded the supplicant retrieved his sword and rained several blows on Pierre, such that he quit the place and fell close to a door . . . and the morrow I heard that due to these blows that Pierre had passed away for lack of quick attention and care.²

Jean's letters were accepted by the judges of Issoudun but their sentence was appealed by the victim's kin. Ten years later a rather different version of the events was recounted to the Parisian magistrates, for:

The supplicant had neglected to declare that when his defunct brother was at the cemetery of Thévet, where he unsheathed his sword, the supplicant said, 'come out of the cemetery if you have a great desire to fight against me', and that in the fight both their swords fell and that seeing then that his brother continued to come after him, fearing his anger and fury, [Jean] seized hold of his hair and his collar and took out his dagger and, having clasped his body, stabbed him several times in the back; not being able to say in which part due to the lapse of time since the event took place. They disentangled themselves from this fight and picked up their swords, raining several blows on each other, one of which wounded the supplicant and [another] broke [Pierre's sword] as he pursued the supplicant around a cross. Running after the defunct towards the courtyard of Christophe de Saisse, twenty feet away, [Jean] struck him a blow on his head.³

This second extract is still not entirely convincing—having been stabbed in the back several times Pierre's recovery is remarkable—but it is clearly much less of a fabrication than its forebear; its savagery contrasts with the usually anodyne representation of murders in pardon tales as simple acts of self-defence. Supplicants had only to recount what was sufficient to get their letters registered. However, the possibility of accommodation with the victim's family and the social status of the parties was reflected in the style of the letters. Some families required more pecuniary satisfaction than others, and it is not unreasonable to assume that others

² AN JJ 259 fo. 299^v–300, Oct. 1549.

³ Ibid. 300–330^v.

wished true contrition to be reflected in the pardon tale itself. At a more technical level, Parlements were unwilling to register contested letters of pardon that did not adhere more or less to the judicial inquest conducted by the local authorities, hence la Châtre's need to change his story.⁴

Another problem faced by the historian when trying to describe combat is the language employed by contemporaries; their perception of combat was shaped by the language they employed. The la Châtre brothers had fought a duel, with sword and dagger, in a cemetery, a common choice of arena. But in 1549 the word 'duel', with its attendant cultural significance, had not yet been invented. How did contemporaries conceive of combat? Action was shaped by literary convention. Well into the early modern period, accounts of fighting select from the chaos incidents which bear meaning, moralistic or chivalrous.⁵ Only where we have contradictory statements, as in the la Châtre case, or unusually detailed evidence can we reconstruct the experience of combat. Royal abhorrence for illegitimate violence was countered by stressing the legitimacy of self-defence and by privileging the chance encounter (*rencontre*) over the premeditated duel. Thus François d'Espagnac insisted that he had been attacked by his neighbour, but his inquisitor pressed him during his interrogation 'is it not the truth that it was not an encounter but a true duel prohibited by ordinance and judgement of the court, as well as by divine law and that both sides drew their swords and struck several blows, and fired several pistol shots?'⁶ In order to understand the economy of violence we shall have to be clear about the terminology to distinguish between battles, encounters, and duels. This is not always easy: the word *rencontre* was used by participants to cover up not only duels but all sorts of other dubious ambushes, skirmishes, and small battles. Paying close attention to the terminology also permits us to study the pace of change in combat techniques and modes of killing.

TECHNOLOGY

The carrying of lethal weapons and the knowledge of how to use them was the norm throughout the social hierarchy in medieval and early modern Europe. Technological innovation and the adoption of new weapons and styles of fighting meant that combat was changing substantially in the fifteenth century: the great expansion in the numbers and sophistication of combat manuals was a response to a demand for knowledge about new fighting techniques. Introduction of these techniques was driven by a number of factors. First, the tactical superiority of infantry, whether bowmen or pikemen, over cavalry, had forced the mounted

⁴ Behind the challenge were his 'capital enemies', the monks of the abbey of Massay near Bourges. The abbey may have had the jurisdiction over Thévet and was trying to reclaim fines and damages imposed on the supplicant by the judges of Issoudun.

⁵ On literary conventions: R. Kaeuper, *Chivalry and Violence in Medieval Europe* (Oxford: Oxford University Press, 1999).

⁶ AN X2b 1184, 17 Mar. 1622.

knight more often onto foot, exposing him to a radically different and more dangerous form of hand-to-hand combat. Secondly, as armour plate became thicker and stronger to withstand missiles, so the traditional broadsword, which had remained largely unaltered since the early Middle Ages, lost its effectiveness. The same steel-tempering techniques perfected in northern Italy that made this armour were also used to develop lighter, stronger blades designed for thrusting at and piercing the weak points in armour, as well as for cutting.⁷ Throughout the early modern period swords continued to get lighter and stronger; putting a premium on the swordsman's dexterity and finesse rather than brute strength. Thirdly, the sixteenth century saw the growing use of firearms and the progressive abandonment of body armour. However, placing civil combat within the changing nature of warfare can only take us so far. Weapons which had military use may have been useless for the assassin or duellist, and conversely the widespread adoption of the pistol after 1550 cannot be attributed to its effectiveness on the battlefield. Before we can fully understand combat we need to return to the documents to see what sorts of weapons were used in a civil context and when and why fashions changed.

It is a commonplace that armour fell progressively out of use in this period: the modern duel is usually distinguished from its medieval forebear by the absence of armour and the greater risks involved. The development of plate armour had made tourneying relatively safe by the fifteenth century. Even in the rare instance when a judicial combat was fought to the death the *coup de grâce* took a long time in coming: in the combat fought between le Gris and Carrouges in 1386, the former was finally wrestled to the ground and killed 'though with great difficulty, because he was fully armoured'.⁸ The new fashion of stripping down to one's shirt before crossing swords was widely lamented in literature, even by supporters of duelling. Brantôme was ambivalent, for while those who fought without defensive arms were brave the certainty of death meant a 'fight like brutish beasts'.⁹

While our records rarely speak of plate armour—regularly seen on the battlefield until the mid-seventeenth century—it comes as something of a surprise to find mail armour in relatively common use in civil society throughout the sixteenth century. Although a more deadly form of duelling was developing, it is clear that acceptance came about only slowly and that, until the Wars of Religion, many duellists continued to favour the wearing of harness. A verb captured this moment of change: *desmailler* (to unmail).¹⁰ The wearing of armour in a civil context was likely to arouse suspicion and was taken by the courts as a sign of malicious intent. The role of armour in letters of pardon also creates a problem for the

⁷ P. Brioist, H. Drévilion, and P. Serna, *Croiser le fer: violence et culture de l'épée dans la France moderne, XVI^e-XVIII^e siècle* (Paris: Champ Vallon, 2002), 21–7; S. Anglo, *The Martial Arts of Renaissance Europe* (New Haven: Yale University Press, 2000), 19.

⁸ *Chronique du religieux de Saint-Denis*, ed. M. L. Bellaguet, 6 vols. (Paris, 1839), i. 462–4.

⁹ Brantôme, vi. 309–10. For a differing view: Montboucher, *Traicté des ceremonies*, 24.

¹⁰ AN JJ 257/2 fo. 35^v, Mar. 1546.

historian tracing the rise of the duel: were combatants equally armed or is this a trope that masks a surprise attack? There are instances of both. Claude le Bourgoing confessed to fighting an equal combat at Candlemass 1549, two against two, following a precedence dispute with a neighbour. However, he initially neglected to mention that he was dressed in a mail shirt, strongly suggesting premeditation.¹¹ On the other hand, two noblemen serving in the Boulonnais in 1552 fought a mortal duel with identical arms: each wore a mail coat, cap, and leggings and carried a sword and dagger, and their seconds acted as witnesses and did not fight.¹²

While the forces of order may have been increasingly sensitive to the provocative nature of wearing armour, this did not stop the practice: Alexandre de Saint-Chamans's attendance at mass in his mail shirt was not uncommon. In addition to the duels cited above, I have found twenty citations of armour being worn in instances of vindictory violence in the period 1545–56.¹³ Why the persistence of this old technology at a time of great technological change? How do we explain the almost complete absence of plate armour from our sources? To answer this we must distinguish between civil and military uses. Unlike plate armour, mail was easily concealed beneath one's normal clothing; enabling the wearer to carry on his everyday business in the knowledge that he had a modicum of protection should he be attacked. In 1563, Baptiste de Castellane, a Protestant, provoked his Catholic enemies by attending mass at Arles cathedral. Realizing the danger he was in he wore a mail coat beneath his doublet. His enemy attacked him but could not pierce the armour and died of wounds several days later.¹⁴

While some tried to strike fear into their enemies, like Antoine Dambonne who wore a wolfskin over his mail coat, others like Pierre de Monnestay admitted to riding around in armour as a public affirmation that 'he would have vengeance for the wrong' done to him. Yet others wore concealed armour out of fear, like Jean du Bois who wore a mail shirt to church because, having tried to prevent the abduction of a woman, he had been involved in two gunfights.¹⁵ For those with more sinister motives mail provided protection without compromising surprise and movement. Philippe Boussault mounted an ambush with seven men and in the ensuing mêlée his enemy was heard to shout to no avail, 'Do not kill me! You are mailed! You do me wrong!'¹⁶ Above all, mail was cheap and widely available across

¹¹ AN JJ 262 fo. 110, May 1553.

¹² For example: AN JJ 256 fo. 85, June 1542; 257/2 fo. 76, June 1546; 261 fo. 76, Apr. 1551; 261/2 fo. 306, Sept. 1552; 262 fo. 100^v, Apr. 1553. There is a gap in the run of letters of pardon from 1556 to 1566.

¹³ R. Fage, *Quelques procès limousins devant le parlement de Bordeaux* (Tulle, 1877), 38; Remacle, 'Une vendetta provençale'—part 1, 787; AN JJ 257/1 fo. 145, Sept. 1546; X2a 101 fo 87, 8 Oct. 1546; 257/3 fo. 209, Aug. 1547; 258/2 fo. 83, July 1548; 260 fo. 145^v, Aug. 1550; 261 fo. 336, Nov. 1551; 261 fo. 211, July 1551; 261 fo. 126^v, May 1551; 261 fo. 144, June 1551; 261/2 fo. 309^v, Sept. 1552; 262 fo. 245^v, Aug. 1553; 263/1 fo. 189; 263/1 fo. 326^v, Aug. 1556; 263/1 fo. 371, Oct. 1556; 263/1 fo. 354, Sept. 1556.

¹⁴ Remacle, 'Une vendetta provençale'—part 2, 201–2.

¹⁵ AN JJ 253/1 fo. 52, May 1540. See also AN JJ 261 fo. 16^v, May 1551.

¹⁶ AN JJ 261 fo. 184^v, June 1551.

the social spectrum. Steel cuirasses were expensive: Louis de Poux wore one in during an attack on the Bethencourt family in 1553 but his kinsmen had only mail coats.¹⁷

The Wars of Religion further blurred the distinction between military and civilian dress. In March 1564, during a period of peace, a cavalry encounter took place near Carentan between Protestants and Catholics pursuing a private quarrel, in which both sides seem to have been dressed in the full battle armour still worn by men-at-arms.¹⁸ After 1570 mail fell out of use in vindictory violence to be replaced by the cuirass.¹⁹ Evidence for the use of the cuirass and corselet, which protected the thighs as well as the trunk, dates from mid-century. Étienne de Chantillac admitted in his letters of pardon that he invariably wore a corselet beneath his robes.²⁰ The cuirass continued to feature in acts of private violence, especially during the classic age of the encounter between cavaliers in the first quarter of the seventeenth century.²¹

SIDE ARMS

The sword in early modern Europe was more than an object: to contemporaries it was a sign of social distinction and to novelists, historians, and film-makers it remains both symbol and metaphor for an age.²² This metaphoric significance is memorably enshrined in Lawrence Stone's words: 'The rapier was as dangerous a weapon as a sports car in the hands of a high-spirited young man with little sense of self-control and no rules of conduct to regulate his behaviour.'²³ However, there is controversy over what a rapier was and whether such a long and unwieldy weapon was practical and in wide use.²⁴ The French word *rapière* was used in the fifteenth century, when it meant something different from its modern meaning, but does not recur in any of the thousands of post-1500 documents consulted. Suffice to say that the key development of the late fifteenth and early sixteenth centuries was the development of a sword that was specifically designed for civil society and had no battlefield use. With elaborate quillons and hand guards, they had a long blade, and became lighter as fashion dictated and steel technology became more sophisticated. The *espada ropera* (rapier) first seems to have become fashionable in Spain at the end of the fifteenth century. As a mark of social status

¹⁷ AN JJ 263/1 fo. 360, Oct. 1556.

¹⁸ AN JJ 264 fo. 320, Nov. 1566.

¹⁹ For its use in 1560s: AN 265 fo. 166^v, July 1567; 265 fo. 91^v, Apr. 1567; 266 fo. 50^v, Apr. 1568. The last recorded use pertains to a non-noble in 1600: F. Bouquet (ed.), *Documents concernant l'histoire de Neufchâtel-en-Bray* (Rouen, 1884), 108.

²⁰ AN JJ 260 fo. 8^v, Jan. 1550.
²¹ AN JJ 258/1 fo. 31, Jan. 1548; 264 fo. 83, Feb. 1566; 266, July 1566; X2a 1393 fo. 25^v, 20 Jan. 1583; X2b 1175, 3 May 1583; AD Seine-Maritime 1B 3203, 14 Jan. 1586; 1B 3205, 19 Aug. 1586; AN X2a 1395, 20 Aug. 1588; AD Cantal, Fonds de Comblat, 22 Aug. 1612; AN X2b 1182, 5 May 1617; 1186, 10 Dec. 1624; 1193, 19 Feb. 1629.

²² L. Stone, *The Crisis of the Aristocracy, 1558–1641* (Oxford: Oxford University Press, 1965), 243.

²³ Brioist et al., *Croiser le fer*, introduction.

²⁴ Anglo, *Martial Arts*, 96–100.

and fashion the new type of civil sword soon became a popular consumer accessory among the expanding notability. While a Renaissance-style residence may have been beyond them, the comfortable gentlemen from the Italian city or even the French hinterland could now display style and flaunt status. Gargantua (Chapter 23) was trained in the use of both traditional military swords and the new 'Spaniard' (*l'espangole*). The civil sword was more commonly referred to as the *verdun*, which was being widely worn in France by the 1520s.²⁵ And they were being used, if not always with great success: François des Fosse's *verdun* did him little good in 1525 when he was set upon by Guillaume de Morainvilliers and his gang, who were armed with regular swords; the seigneur de Préaulx fared better in October and managed to slice off his opponent's finger.²⁶ The craze for the *verdun* was fuelled by necessity as well as fashion as the case of Bertrand Darbieu shows. When he and Geoffrey Durban drew against each other in the town of Lectoure on 27 November 1531 he faced the latest in fencing technology with only a 'dague mondrussine'. Fortunately, they were near an armourer's shop and he rushed in shouting, 'Wait for me a while! Will you still hold to this quarrel?' Returning with his shiny new *verdun* he threw his hat and coat on the ground: 'By God's blood, do you want me?' Unfortunately, his acquaintance with the rituals of duelling was not matched by his skill with the sword, taking blows on his right breast, the side of the neck, and right armpit.²⁷

Fashion and social distinction are synonymous, and once the use of such weapons became widespread throughout society, so longer, more elaborate, and more expensive weapons kept the man of fashion ahead of the pack. Some contemporaries attacked this practice for making weapons impractical. Given the importance placed on attack over defence the long draw of the rapier made it a tricky weapon to get into action. Robert de Quiqueran's elaborate gilt sword looked magnificent on the parade ground but was otherwise useless; his opponent was able to wound him in the neck and make a run for it.²⁸ In confined spaces shorter weapons had the advantage, and they could be concealed.²⁹

So the choice of weapon depended on the task in hand, and just as chain mail continued to be widely worn in the sixteenth century, so more traditional sword designs continue to appear in our documents until mid-century, after which the word *épée* is exclusively used. The skilled swordsman selected his weapon according to need. For his assassination of du Guast in 1575 the baron de Vitteaux chose a 'very short slashing sword (for in such circumstances it is better than the long)'.³⁰ Apparently still capable of holding its own against thrusting weapons, the giant two-handed sword was still in use until the 1550s, if sometimes a little impractical: Guillaume Rochefort was unable to draw his two-hander before Jean Rigaud

²⁵ Briost et al., *Croiser le fer*, 44.

²⁷ AN JJ 246 fo. 49^v, Mar. 1532.

²⁹ Imbert, 'Les Grands Jours de Poitou', 303, testimony of defendant Laumonsier and accomplices.

³⁰ Brantôme, vi. 334.

²⁶ AN JJ 238 fo. 92^v, 11 May 1525; fo. 212^v, Nov. 1525.

²⁸ Remacle, 'Une vendetta provençale'—part 2, 202.

whipped out his dagger and stopped him by threatening to slit his throat.³¹ Before duelling codes became well established this type of one-to-one combat using unequal weapons was not uncommon. The duel between the brothers Jean and Charles de Breuil in 1523 is emblematic of the transitional phase from medieval combat to the early modern duel. Jean, wearing a *verdun* in his belt, stood outside his brother's château and, throwing his cap on the ground, said, 'I give you my challenge of battle.' Charles descended to meet the challenge not with a *verdun* but with a halberd, exposing the major weakness of the new weapon, which soon broke.³²

Daggers were the weapon of the assassin *par excellence*. Conduct books disapproved strongly. Paul de Montboucher called them 'ignoble' as they could be used without allowing the opponent to take guard, such as François de Montmorency-Hallot who raised his hat to Christophe d'Alègre who merely replied, 'You must die,' and stabbed him with his knife.³³ The duelling craze was made particularly deadly by the practice of fighting with swords and daggers, although this seems to have been on the wane from the late 1620s as the dagger fell out of fashion.

FIREARMS

We do find gentlemen using the crossbow in vindictory exchanges until the mid-sixteenth century, although it was more commonly a weapon carried by peasants and servants. By then attitudes to missile weapons were changing and firearms were eagerly adopted by the nobility. The pistol was certainly not adopted for its battlefield performance: la Noue claimed that it was accurate at only three paces; and of the six close-range shots fired at the comte de Montafier in 1577 only one found its target (though this was enough to mortally wound him).³⁴ Pistols first appear in vindictory actions in 1545 and were soon widespread among the petty gentry. They were luxury items and social distinction must have played a part in their rapid spread; their popularity despite their short range is explained by Hugues de Sacqueray in 1603: because his enemy kept a pistol concealed beneath a long black cloak he was constrained to do the same, and when his enemy made a move in church one day Hugues drew first and shot him in the head.³⁵ During the Wars of Religion the pistol began to replace the dagger as the assassin's weapon of choice and in the seventeenth century they became smaller and less detectable: in

³¹ AN JJ 220 129^v, Oct. 1489; 262 fo. 245^v. Aug. 1553. See also: Le Hardy, *Aunay-sur-Odon*, 107; AN JJ 261 fo. 272, Sept. 1551. The bastard was a one and half-handed sword: AN JJ 261/1 fo. 6^v, Jan. 1551.

³² AN JJ 243 fo. 75, Mar. 1527.

³³ Floquet, i. 441.

³⁴ F. Tallett, *War and Society in Early Modern Europe, 1495–1715* (London: Routledge, 1992), 23; G. Claretta, 'I signori de Montafia, Tigliole, Roatto, Varisella e Maretto', *Giornale araldico-genealogico-diplomatico*, 10 (1882), 141.

³⁵ AN X2b 1330, 21 Mar. 1603.

1642 the magistrates of the Parlement of Paris exhibited a 'small pocket pistol' said to have belonged to Jacques de Midache; Charles Joubert went to mass in 1665 with 'a false yellow pocket in his coat made into a pistol holder'.³⁶ Their spread in civil society was as pernicious as duelling and an edict of 1609 forbade persons of quality to carry small pistols 'to prevent the murders [caused] by those who have quarrels and enmities'.³⁷

Pistols were unreliable and misfires common.³⁸ Even when discharged the target could take evasive action: Briand de Châteaubriand lay across the neck of his horse causing his enemy's shot to miss in 1565.³⁹ Since the pistol was only good for one shot a pair were usually carried. Thereafter one closed with the sword, although the marquis de Bonnavet threw his empty weapon when it misfired, rocking his opponent in his saddle.⁴⁰ Despite the scepticism of la Noue, pistols were widely used because they were effective in a mounted *mêlée*; even if they did not kill outright they could disable a man or a horse.⁴¹ And it was possible to become a good shot through practice. Robert de Quiqueran (d. 1609), a Provençal, showed more interest in his pistols than in his children, for whom he forbade any schooling, and became an excellent shot by firing at pictures in his hall and above his fireplace.⁴²

The 1520s were an important decade in the history of the feud: not only do we begin to find the first evidence of a style of swordplay using the *verdun*, but we also see the widespread use of arquebuses in civil society for the first time. From their inception they were deadlier than the pistol.⁴³ The attractions and limitations of the arquebus as a tool for assassins is attested by the first attempt on admiral Coligny's life in 1572: for although Coligny survived, the assassin made good his escape and has only been identified with some certainty by modern historians. At the height of the Wars of Religion the development of guns designed for cavalry use, notably the *poitrinal* (petronel) and the *escopette* (Cotgrave translates this as 'long pistol' and not 'blunderbuss'), became more widespread. They could be effective at close range. In 1579, Coligny's assassin, Maurevert, was himself wounded in the arm by a petronel fired by his neighbour and had to have his left arm amputated. When he was eventually hunted down and killed by the seigneur de Moy Saint-Phalle in Paris in 1583 Maurevert's men killed two of their assailants with petronels, including Moy himself.⁴⁴

On the eve of the Wars of Religion therefore the nature of vindictory violence was being transformed by the spread of new technology. The pardons issued to

³⁶ AN X2b 1219, 5 Mar. 1643; BN Morel de Thoisy 381 fo. 264.

³⁷ *Mercure*, i. 359.

³⁸ AN JJ 266 fo. 82^v, June 1568; AN X2b 1182, 6 Aug. 1617; 1210, 24 Jan. 1639; 1220, 22 Dec. 1643; AD Haute-Garonne BPS 940, 12 Mar. 1666.

³⁹ AN JJ 263b fo. 179, June 1565.

⁴⁰ AN X2b 1223, 22 Dec. 1643.

⁴¹ For wounds inflicted on horses: AN X2b 1179, 19 Apr. 1602; 1185, 20 May 1624.

⁴² AN AB xix 3346/1, 3 Sept. 1655.

⁴³ The lacunae in the run of letters of remission from 1502 to 1522 may conceal the earlier history of these trends.

⁴⁴ L'Estoile, *Journal*, i. 217, 329. See also AD Seine-Maritime G 3503, 6 May 1587.

Jean de Bessac and his gang are emblematic of the new mix of weapons and styles of fighting. After Bessac had fallen out with Jean de Moroges, the latter provoked him by riding into one of his villages with arquebuses and pistols and shooting some geese. Still relatively rare in rural society, firearms were the terror weapon of the age. During Lent 1551 Moroges and his men wore pistols to church, where it was pointed out that firearms were illegal. After mass a showdown took place outside the village tavern. Moroges took off his cloak, unsheathed a two-handed sword with one hand, and pulled out a pistol with the other. This looks like an impractical combination. Bessac was not about to give up his advantage and fight one to one: he and his men, armed with arquebuses, outgunned their opponents. In the exchange of fire Moroges was hit in twelve places and mortally wounded.⁴⁵ Exchanges between armed nobles now took on the character of the gunfight.⁴⁶

One advantage of guns over other missile weapons was that they could be charged with different types of shot according to circumstance. Guy de Léans taught his peasants a lesson by firing pistols charged with salt into their buttocks.⁴⁷ In the firefight between Philippe de Buigny and Amadore Cochon in December 1640 Buigny's valet fired a shot charged with three musket balls. Buigny then aimed his rifle against Cochon's stomach but it misfired and although Buigny was hit by 80–100 pieces of small shot in his arm he managed to finish off his opponent with his sword.⁴⁸ Louis de Segonzac used a double-barrelled musket in the combat with the Ussel in 1668.⁴⁹

There are two final important points that need to be made. First, the rise of firearms permits the historian to evaluate culpability and determine which side had the advantage. The magistrates of the Parlement of Paris certainly perceived the carrying of firearms as a provocation and in contravention of many edicts. They quickly saw through the pardon tale of Horace de Saint-Mesmy; while his lone enemy unsuccessfully fired his pistol at the extreme range of thirty paces, the supplicant had hidden several arquebusiers in the forest of Orléans and they returned a murderous volley.⁵⁰ Judges may have had no access to modern ballistic science but they could work out when someone was lying, paying close attention to entry and exit wounds. In March 1655 the investigating magistrate put it to François le Cornu that he had not been involved in a chance encounter but rather had shot Nicolas Heudey in the back through a gap in a hedge and that his pistol barrel had exploded. He could deduce this because the victim's clothes were burnt: 'exhibited to the [accused] a bloody grey doublet lined with red taffeta with two holes below the left shoulder ... also exhibited to him a cloak with a hole on its left-side as big as an egg.'⁵¹

Secondly, medical practice could not keep pace with the new technology, ensuring that many more victims died from their wounds. Surgeons had good

⁴⁵ AN JJ 261 fo. 272, Sept. 1551; fo. 336, Nov. 1551.

⁴⁷ AN U 749, 27 Jan. 1666.

⁴⁹ AD Creuse E 403, 19 Oct. 1668.

⁵¹ AN X2b 1241, 16 Mar. 1655.

⁴⁶ AN X2b 1176, 14 Oct. 1587.

⁴⁸ AN X2b 1218, 13 Dec. 1632.

⁵⁰ AN X2b 1176, 4 June 1584.

practical experience of sword wounds and there existed published case studies. Slash and cut wounds in particular were possible to treat with some hope of success.⁵² One of Rigaud de Tournemire's gang had fifteen stitches after his face was sliced open in 1465; another lost a finger and thumb which were presumably cauterized.⁵³ Deep thrusts against unprotected flesh, a particular feature of the duel, were more difficult to treat. But the sorts of wounds created by low-velocity firearms were particularly lethal and if not fatal in themselves likely to cause septicaemia. This was aggravated by shot designed to cause maximum damage: Pierre de l'Estoile may have seen the corpse of Moy de Saint-Phalle for he knew that he was killed by a nasty type of shot called 'cross-bar' 'that entered through his mouth, smashing his lower jaw and tongue and exited through the back of his head'.⁵⁴ This is significant because in exchanges of vindictory violence the intention had not always been to kill—drawing blood or maiming was often sufficient revenge. Duelling swords and firearms made death more likely.

SIEGES AND BATTLES

From the mid-fifteenth century nobles occasionally employed cannon in their quarrels with their neighbours, but it was cumbersome and costly and where possible it was better to try and make use of royal resources.⁵⁵ Even in the seventeenth century control of the royal artillery was the key to superiority in places where the crown was traditionally weak: in his struggle for supremacy in Béarn in 1615 the comte de Gramont could put thousands of men in the field but lost control of key towns because his adversary, la Force, had more guns.⁵⁶

Arresting those who had taken refuge in a stronghold often required manpower beyond the resources of the forces of law and order. Lineages had to rely on their own resources, but arrest warrants and posse-raising were open to abuse. Instead of hiring the local royal sergeants to serve a warrant, the baron de Thury summoned a sympathetic bailiff from Paris supported by twenty-five of Thury's armed friends and neighbours, sounding a trumpet as a sign of belligerence. When the fugitive jumped from the château walls into the moat to evade capture he was fired upon. The investigating magistrate remonstrated with Thury 'that it is expressly forbidden by [royal] ordinances for the interested civil party to be present at the execution or proclamation of justice'; Thury rejoined: 'assistance like that is not without precedent'.⁵⁷

Privately organized sieges continued to occur in the seventeenth century for two other reasons. First, possession being nine-tenths of the law, it was important

⁵² Briost et al., *Croiser le fer*, 34–6.

⁵³ Grand, *Anjony*, 83.

⁵⁴ L'Estoile, *Journal*, i. 329.

⁵⁵ Imbert, 'Les Grands Jours de Poitou', 169; AN JJ 192 fo. 36^v, Jan. 1461; 206 fo. 11, Sept. 1478; 226/1 fo. 183, Mar. 1494; 226/2 fo. 9, Feb. 1492.

⁵⁶ Caumont de la Force, *Mémoires*, ii. 94.

⁵⁷ AN X2b 1198, 23 Mar. 1633.

to remove the opposing party from disputed property and force was often the only means. There are some dramatic examples of this in the wilder parts of the kingdom. But this sort of event had not been eliminated from the gentler landscape of the Laonnais. In the 1630s Isaac de Bossut seized the château of Vaurseine and held it against his brother-in-law. Reconciliation failed and Bossut first set an ambush and then seized another château at Surfontaine in 1638.⁵⁸ Secondly, the rescue of abducted gentlewomen and heiresses required the mobilization of the whole kindred as well as the officers of justice. Sieges could last months and involve hundreds of men.⁵⁹

Earthworks and guns could quickly turn the most sumptuous Renaissance château into a formidable defensive obstacle: Marie de Hautefort's private army made loopholes in the walls of their positions in Privas in 1671; while Gabriel du Reynier protected his mill at Chency in 1556 by building (earth?) walls mounted with light guns (falcons).⁶⁰ Sieges were beyond the resources of most noblemen and the preoccupation with avoiding casualties obviated direct assaults. In many cases a demonstration or *bravade* alone was sufficient. The attack on the Segonzac manor by the Ussel clan in 1668 began with a ritual challenge when one of the Ussel's men: 'giving rein to his horse caracoled around the lower courtyard of the house and told a hundred insolent tales to Segonzac's servants'. In this case a more serious fight developed and more than thirty shots were exchanged. Fearing the arrival of 300 peasants the Segonzac were eventually constrained to slip out of the rear of their house 'without boots or baggage'.⁶¹

During the Wars of Religion in particular no one slept safe in their beds. Treachery lurked everywhere. Admiral Coligny was only the most high-ranking individual to be murdered in his bedchamber. But even after the end of the Wars of Religion châteaux were still being stormed. In 1633 the château of Thouron, belonging to the seigneur de Beaumont, *lieutenant criminel* of Dorat in the Marche, was scaled with ladders and the defenders of a tower forced to surrender when 'garters were placed around the necks of those found in Beaumont's chamber' and they were threatened with strangulation.⁶² The murder of Charles de Franquetot, a man of high status, socialite, and friend to literati, by five masked men in his château of Tournaville in the Cotentin in 1661 remains a mystery.⁶³

In medieval and Renaissance warfare the pitched battle was a rare event, and so with feuding. Battles entailed the deployment of large numbers of men and risked casualties. This was not usually a feature of the private dispute, for as I have argued the mobilization of large numbers of men was impractical and usually unnecessary

⁵⁸ M. de Sars, *Le Laonnais féodal*, 5 vols. (Paris: Champion 1924–34), iii. 668–9.

⁵⁹ Bercé, 'La Noblesse rurale', 45; marquis de Lastic, *Chronique de la maison de Lastic*, 3 vols. (Montpellier: Firmin and Montane, 1919–21), iii. 668–9.

⁶⁰ Regné, *Mélanges vivarois*, ii. 29; AN JJ 263/1 fo. 101^v, Mar. 1556.

⁶¹ AD Creuse E 403, 12 Mar. 1668.

⁶² AN X2b 1202, 3 Dec. 1634. The accused were acquitted by the Great Assizes of Poitou.

⁶³ Martel, *Julien et Marguerite de Ravalet*, 345.

in exchanges where responses were carefully calibrated. Private battles may of course be obscured by civil war. The heirs of Fulcrand de Vignolles claimed that the ambush led by Philibert comte d'Apchier, governor of the Gévaudan, in 1591, which left Vignolles and fifty to eighty other Protestants dead, was an act of enmity and not legal hostility since they were ostensibly both royalists. A significant piece of evidence against Apchier was the battle cry 'vive Apchier', which was not the cry of the Catholic League. The courts could not untangle the legality of this combat and the case was still going on thirty years later.⁶⁴ A battle did take place in Navarre in 1498 between the forces of Marie d'Urtubie and her son-in-law Jean de Beaumont-Navarre that lasted two hours but, although more than 1,000 men were deployed on each side, the Urtubie lost only sixteen men killed and some others mortally wounded.⁶⁵

In general, feuding parties consciously attempt to limit casualties and act within the boundaries of acceptable violence, since the limited nature of the attack underscores its legitimacy and leaves open the path to reconciliation. In 1564 at least thirty nobles plus their servants opened up on a similar number of attackers, but in the ensuing combat only one man was killed.⁶⁶ There are exceptions to the rule. The most vicious feud of the Wars of Religion, between the Barjot and Mailly families in the Beauvaisis, began in 1583 with the deaths of two opposing members of the clans, but escalated the following year with the renewal of civil war. The Barjot, royalists, and the Mailly, Catholic Leaguers, conducted campaigns and sieges under cover of legitimate war, leaving twenty-eight dead. Animosity lasted until at least 1610.⁶⁷ Civil war cannot account for the death of Margaret Retz de Trelans's brother and father and up to twenty of their servants killed by their neighbour in the years before 1666. This obscure private war has left few clues other than the impression of an unusually nasty and protracted conflict in an isolated part of a wild region (the Gévaudan).⁶⁸ Better evidence for private war in the seventeenth century comes from the Perche. Jacques d'Illiers and Jean d'Angennes were of illustrious and well-connected lineages. We do not know the origins of their animosity, but sometime in the early 1620s Illiers invaded his neighbour's lands and took several prisoners. Some days later Angennes with at least thirty men attacked Illiers at Vaupillon, leaving four noblemen dead on each side. Angennes used soldiers from his own regiment and pressed vassals into service.⁶⁹ In the final analysis, however, to view such actions as 'war' is misleading. War had long since become the domain of sovereign princes. Contemporaries were unanimous that private war was illegal. That does not mean, however, that there were not many occasions in which combats between private parties were

⁶⁴ AD Aveyron E 627, 9 Mar. 1591.

⁶⁵ AN JJ 229 fo. 41, Apr. 1498.

⁶⁶ AD Seine-Maritime G 3503, May 1582.

⁶⁷ L.-E. Deladreue, 'Auneuil: notice historique et archéologique', *Mémoires de la Société Académique de l'Oise*, 9 (1874), 389–480.

⁶⁸ AD Haute-Garonne B 92M fo. 142, 27 Oct. 1666.

⁶⁹ Floquet, i. 528. See above on the la Philippière–Bridiers dispute.

thought to be legitimate. Contemporaries were more likely to use the term encounter (*rencontre*) to distinguish a particular type of action that was neither war nor a duel.

THE AGE OF THE ENCOUNTER

The language that contemporaries used tells us much about their attitude to private war. In the fifteenth century an encounter was synonymous with a pitched battle.⁷⁰ Naturally, the common practice of 'riding out' with one's retinue in a display of force during the Middle Ages did lead to encounters in the modern sense, unpremeditated or not. In 1387 the sieur de Chin from Hainault with about sixteen or eighteen men-at-arms and archers searched out a servant of his enemy: 'go and tell your master the sieur de Cavrines, that I am riding across the country towards Tournai and if he desires anything of me, he will . . . find me on the road, making haste to get there.'⁷¹ During the sixteenth century the term encounter came to mean more specifically an unpremeditated clash between adversaries and was especially applied in a civil context. In 1534, the lieutenant of the provost of the Lower Auvergne told a posse that ambushing the bastard of Chalus would 'obviate scandals and encounters' in the pays de Combrailles.⁷²

Brantôme thought that the encounter was yet another Italian import: 'sometimes here and there one encounters another and they kill and maim each other like flies and beasts. This I have often seen in Paris, but especially in Milan where . . . not a day passed that I did not see squadrons of twenty men belonging to those who had feuds, walking about town, encountering each other, fighting and killing, so much so that one saw an infinity of them lying on the paving, still dressed in their mail shirts, their fighting gloves and their iron helmets.'⁷³ However, the bloody Milanese experience was rarely replicated in France where encounters were usually on horseback in rural areas. The reasons for limited casualties in France is revealed by the reasons for 'riding out' in the countryside and along the highways; it was a highly visible means of demonstrating one's power, but if an encounter did occur a ritual exchange of shots followed by a hasty retreat was often sufficient to maintain honour.

Before the age of firearms evidence for the encounter is sketchy.⁷⁴ It was precisely this sort of behaviour that the provosts of the marshals were ordered to prevent when reformed by François I in 1536. Its enduring appeal was also partly due to the fact that, as royal legislation against duelling became harsher, it was defensible in law, permitting the parties to portray the combat as fortuitous and

⁷⁰ AN JJ 220 129^r, Oct. 1489.

⁷¹ Vale, 'Aristocratic violence', 177–9.

⁷² AN JJ 247 fo. 34, May 1534.

⁷³ Brantôme, vi. 387.

⁷⁴ In 1508 the seigneurs de Moy and Tournon had 'assembled men-at-arms and searched out one another several times to do outrage and offend each other's persons'.

unpremeditated: 'they pass off combats for encounters,' wrote one commentator in the 1660s.⁷⁵ An accord was sealed by the constable in 1604 on the grounds that 'the circumstances and suddenness of the encounter carried you away such that you could not contain yourselves'.⁷⁶ Judges made efforts to distinguish between fortuitous encounters and prohibited duels.⁷⁷ Challenging the witnesses at his trial in 1666, Jean-Claude de Combalibeuf argued 'that his opponents were powerful and that they had paid destitutes to condemn him and dress up what was a pure encounter as a premeditated murder'.⁷⁸ During civil war encounters disguised all manner of ambushes and murders on the highway. In 1615 Condé's council summarily declared that the murder of the brother of the *lieutenant criminel* of Saint-Jean d'Angely committed by fifteen soldiers was 'an encounter and fortuitous case'.⁷⁹

The widespread use of pistols from the mid-sixteenth century ushered in the age of the classic encounter between squadrons of lightly armoured cavalry clashing in the open countryside. The sounds and sights of the encounter differed from war for the usual paraphernalia of battle was generally absent. Raymond de Vaureilles attacked Antoine de Gayrac's house with a hundred men in 1530 and 'in form of war and hostility sounded a trumpet, raised a standard, shouting "long live Spain! Kill! Kill!"' But this was unusual and was embroidered into Gayrac's letters of pardon for killing Vaureilles the following year.⁸⁰ Trumpets, standards, drums, and cries were generally reserved for military campaigns, presumably to avoid any suspicion of premeditation or accusation of private war. Battle cries are sometimes recorded, suggesting at least occasional acknowledgement of the technicalities of the law of arms.⁸¹

Where urban or dismounted encounters did occur, such as between the Guise and the Montmorency in Paris in 1565, Milanese-style bloodletting was never replicated and casualties were limited. Numbers were likely to be higher in an ambush, or when religious hatreds were involved. In a survey of seven combats and encounters fought between 1530 and 1551 no more than two men were killed even where there were large numbers of men involved: in the mini-battle fought in 1536 with the Montleon family Jacques de Montjardin deployed thirty to forty of his own peasants in addition to 'other companions of war armed with arquebuses, spears, crossbows and bucklers', but only one man was killed on either side.⁸² Of course, we should remember that pardon tales omitted anything that demonstrated excessive force, and where civil reparation with the principal victim

⁷⁵ La Roche, *L'Arbitre charitable*, epistle.

⁷⁶ BN MS Fr 3461 fo. 10^v, 6 Mar. 1604.

⁷⁷ For example: AN X2b 1184, 17 Mar. 1622; 1267, 28 Oct. 1665.

⁷⁸ AN X2b 1269, 22 Jan. 1666.

⁷⁹ BN MS Fr 211811, 8 Dec. 1615.

⁸⁰ AN JJ 246 fo. 105, Aug. 1533.

⁸¹ AN JJ 247 fo. 60, June 1534; AN X2b 1187, 5 May 1625.

⁸² AN JJ 261 fo. 146, June 1551. See also: AN JJ 246 fo. 105, Aug. 1533 (one death); 257/3 fo. 120, Apr. 1547 (one death); 258/1 fo. 44^v, Feb 1548 (one death); 261/1 fo. 6^v, Jan. 1551 (two deaths); 261 fo. 184^v, June 1551 (one death); 261 fo. 324, Nov. 1551 (one death).

had been met there was no reason to mention low-born victims unnecessarily. The common loss of one man on each side is a symmetry that probably reflects legal horse trading as much as authentic combat.

Even during the religious wars when our evidence is better one or two deaths still remained the norm: out of fifteen encounters four or more men were killed only four times; this includes the four who died assassinating the comte de Montafier in 1577—a botched operation in an enclosed space.⁸³ Even in the event of higher casualties, such as the ambush of the Languejoue in the 1570s which left seven or eight dead, we are a long way from the popular religious massacres of the period. The body count rose not because combats became bloodier but because encounters and ambushes became more common; killing continued to be within recognized limits and the body count piled up incrementally. In August 1578 Gaspard Daubuz was attacked on the road near his house by seven men of the seigneur des Dormans. They killed one of his servants and seized another ‘as it had been an act of war’. Some months later Daubuz had his revenge in a firefight in Loudun in which three of his enemies died. In September 1586, while stopping to refresh his horses, ‘we found ourselves in an encounter, there being no means of passing but through that place’. One man was left dead on each side, including des Dormans.⁸⁴

Although we still find encounters in the 1660s, the first quarter of the seventeenth century is the classic age of the encounter between two roughly equal groups of well-armed and lightly armoured squadrons—classic because we have much more detailed evidence and because the extravagantly attired and dashing cavalier was a feature of these combats. Of thirteen encounters between 1613 and 1663 invariably no more than one man died on each side and on two occasions there were no deaths, facilitating reconciliation. The bloodiest clash (four deaths) took place outside the kingdom in the duchy of Lorraine.⁸⁵ In a few cases evidence is rich. The combat that took place between René du Bost and the Montjohan family in Berry on 27 November 1624 incorporated another feud: they were supported by the Bridiers and la Philippière respectively, families which had already

⁸³ Claretta, ‘I signori’, 141. The Guise–Montmorency encounter in Paris in 1565 possibly involved hundreds of men, but only two died. For other examples in addition to those cited above: AN JJ 264 fo. 320, Nov. 1566 (one death); Floquet, i. 346–7 (three deaths); AN X2b 1176, 29 Nov. 1584 (two deaths); Godins de Souhesmes, *Étude sur la criminalité*, 109; AN X2b 1176, 1 Mar. 1585 (one death); AN X2b 1176, 13 Jan. 1588 (one death); AD Seine-Maritime G 3503, 19 May 1594 (one death); AD Seine-Maritime G 3503, 23 May 1596 (one death).

⁸⁴ AD Seine-Maritime 3503, 6 May 1587. For a similar example AD Seine-Maritime G 3503, May 1582.

⁸⁵ In addition to those cited above: AD Seine-Maritime G 3504, 5 May 1614 (one wounded); AN X2b 1202, 6 Oct. 1634 (two deaths); AN X2b 1201, 27 Feb. 1634 (one wounded); AN X2b 1220, 22 Dec. 1643 (one death); Granges de Surgères, *Gazette*, i. 267–8 (two deaths); Thil, ‘Chronique sur une affaire criminelle au XVII^e siècle’ (one death on each side); Godins de Souhesmes, *Étude sur la criminalité*, 181 (four deaths). For other probable ambushes: AN X2b 1180, 29 May 1609 (four deaths); Ranquet, ‘En marge des mémoires de Fléchier’, 61 (six deaths); BN NA Fr 21710 no. 921, June 1654.



FIG 6.1. This Flemish painting by Sebastian Vrancx gives an impression of an encounter in the first half of the seventeenth century. Note the mix of weapons and armour. Copyright: The Bridgeman Art Library.

fought a battle for control of the church of Chasseneuil in February 1619 in which seven men had died.⁸⁶ Du Bost and his wife were one and a half leagues from their manor when they encountered six horsemen and six or seven arquebusiers on foot. Both sides exchanged a volley before a *mêlée* developed, in which one or two men were killed.⁸⁷ One month later in the neighbouring province of the Bourbonnais there was an equally serious encounter between the Veyny d'Arbouse and the Chalus. These families, like du Bost, belonged to the upper echelons of the provincial gentry: Jacques d'Arbouse was abbot of Cluny (1622–9) before resigning his benefice to cardinal Richelieu and it was the abbey's contested domain in the Bourbonnais which led to a cavalry *mêlée* between two groups of a dozen men, three of whom were killed. Distinguishing friend from foe in a *mêlée* would have been difficult without the widespread use of livery and badges: Chalus's men were easily recognizable in their bright scarlet capes.⁸⁸

⁸⁶ See above, p. 69

⁸⁷ AN X2b 1187, 20 Apr. 1625.

⁸⁸ AN X2b 1187, 14 Apr. 1625.

The encounters which took place at this time in the Île-de-France and Upper Normandy in the 1620s suggest that such combats were not confined to the periphery: the three encounters between warring lines of the Fontaines family in Upper Normandy between June 1624 and December 1626 were the climax of continuous petty clashes.⁸⁹ Older customs had not completely vanished: Guillaume de Monsures was wearing a cuirass and a mail shirt in the encounter in the Beauvaisis with the d'Aubourg in August 1623 in which two men died.⁹⁰ Perhaps more typical of the majority of clashes throughout France at this time was that between rival branches of the Mornay in the Vexin in 1623 in which no one seems to have been killed. And yet it is typical of the gaps in our knowledge that some months after being interrogated for his role in these clashes, Pierre de Mornay sieur de Villarceaux was assassinated in circumstances which are unclear.⁹¹

DUELLING: IDEAL AND REALITY

As I argued in the introduction to this book, the practice of duelling in the early modern period is not easily distinguished from the meanings that have been ascribed to it by contemporaries and modern thinkers alike. Courtesy and chivalry are as much *post hoc* rationalizations of rapid and incoherent events as they are templates of public conduct. The traditional chronology of the rise of duelling relied much on the concepts derived from nineteenth-century fencing masters who wished to excise the danger from their sport; they found the origins of their sport in the rituals, codes, and new fighting techniques of the early modern duel. In France, the judicial combat fought between Jarnac and la Châtaigneraye in 1547 has long been seen as a caesura, ushering in a modern style of fighting that prized grace and skill above force: the dexterity of the famous 'coup de Jarnac', hamstringing his opponent, is contrasted to the bludgeoning blows and brute force of the medieval period.⁹²

Yet, far from being emblematic of a new style of fighting, the Jarnac-la Châtaigneraye duel looked back to a regulated medieval past and not forward to the heroic autonomy of Cyrano and d'Artagnan, since they fought before the king under regulations designed to prevent fatalities. La Châtaigneraye's death occurred because king Henri II failed to end the fight soon enough, as was customary.⁹³ Both men entered the field with traditional arms and armour. Novelty came solely in their preparation by Italian fencing masters. As for the famous coup de Jarnac, this was a standard medieval manoeuvre, thrusting or cutting at the unprotected back of the leg.

⁸⁹ AN X2b 1193, 13 Dec. 1629.

⁹¹ AN X2b 1185, 20 May 1624; Anselme, vi. 293.

⁹³ Brantôme, vi. 261–2.

⁹⁰ AN X2b 1186, 10 Dec. 1624.

⁹² Briost et al., *Croiser le fer*, 11.

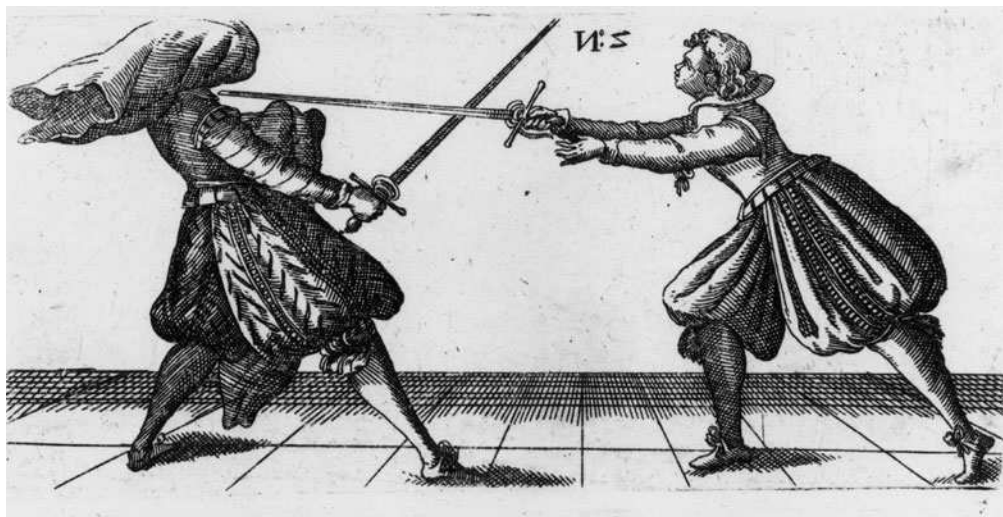


FIG 6.2. The use of the cape as an offensive weapon, a technique already in use in France in the 1520s. From S. Heussler, *Stück im einfachen Rappier, wie auch etliche im Rappier und Dolchen dess weitberühmbten Fecht-und Lehrmeisters Sign* (Nuremberg, 1630). By permission of the British Library: shelfmark 718.a.70.(1.).

Histories of duelling have relied largely on literary works which, though important in revealing how the duel was represented, are poor guides to actual combat. Changes in the format of the duel are important for our purposes because of the clear relationship between duelling and feuding in France: charting the rise of the unregulated and unsupervised duel to the death permits the tracing of the transformation of vindictory violence. The word ‘duel’ was a literary term rarely used in everyday speech. Oral usage continued to employ traditional terms: battle wager (*gaige de bataille*), combat, or simply the verb ‘to fight’ (*se battre*).⁹⁴ It is quite clear that the word was fresh to many people in 1602 when Henri IV published his first edict against duelling.⁹⁵

Literary representations of the duel, modern and contemporary, hamper our understanding in more serious ways. The number and savagery of the many contemporary pamphlet attacks on duelling was in inverse proportion to their impact on noble behaviour. Like many moralists, the anti-duelling fraternity often took a delight in describing the object of their displeasure in lurid, unnecessary detail; this stayed within the bounds of official policy while at the same time satisfying the curiosity of the reader. It is evident that many duels were fought according to pre-arranged rules, where the cartel, or written challenge, fixed an agreed rendezvous; the presence of seconds, the practice of stripping down to one’s

⁹⁴ Billacois, *Le Duel*, 15–16.

⁹⁵ AD Seine-Maritime G 3504, 14 May 1602.

shirt, and the offer of the choice of weapons to one's opponent, ensuring equality and fair play. For evidence that duelling had become a graceful art defined by its rituals we need look no further than the case of the duellers who spent much time preparing for their combat in the Auvergne 1642, removing their heavy boots as well as their doublets and putting on dancing pumps.⁹⁶ It was an article of faith among its contemporary supporters that the duel was an exercise of reason and not passion between two honourable equals who respected one another; they would have applauded the behaviour of Vieuxpont and Doudeauville in 1660 who, in an echo of chivalric fraternity, shared a room on the night before their pre-arranged duel.⁹⁷

Documentary evidence shows the darker side of the duel, in which the rules of the game were ignored, or worse used to mask an attack made with advantage. Gaspard de Combladour forcefully argued that his murdered brother-in-law could not have been killed in a duel, as the sieur de Mottepréaux claimed, because he was 'very small with a great hunchback and deformed in both front and rear'.⁹⁸ Even where respect existed between duellists and the codes were adhered to, there were no boundaries during actual combat. Jacques de la Rivière, captain in a cavalry regiment, agreed to act as a second in a duel in 1650, travelling out of Paris through the porte de Neuilly together in the same carriage with his fellow combatants. Having stripped down to their shirts, they searched each other for forbidden talismans and concealed weapons, they then kissed each other. La Rivière then joined swords with François-Hannibal de Bournel baron de Namps, his opponent:

and both being wounded they finally grappled and fell one on top of the other in a patch of barley; turning over several times they each successively enjoyed the advantage. Finally, la Rivière, having got on top, found that his sword was tangled up [*engagée*] and he tried to retrieve it by snapping it and using the point; not being able to do this he pushed the point and wounded Bournel in the face and the throat from above as [Bournel] raised himself up, and in this state pressed Bournel to render his raised sword, which he would not do, nor ask for his life; instead making a fresh attempt on la Rivière who, to save himself, was constrained to stand up with his sword . . . and give him another thrust into his body.⁹⁹

The notion that duelling slowly became more ritualized and codified over time is, even on cursory knowledge of the chronology, nonsensical. The rituals of the early modern duel were a pale imitation of the procedures that accompanied medieval judicial combats and trials by battle. Unlike the tourney, the judicial combat was a rare event and widely despised. Olivier de la Marche, chronicler and courtier, witnessed thirty major jousts and tournaments in his sixty years at the Burgundian court, but had never seen a judicial combat fought between nobles. He did, however, witness a fight to the death in Valenciennes, permitted by customary law for the reparation of points of honour, which horrified him and other members of the ducal court in its barbarity: the victim was beaten senseless

⁹⁶ AN X2b 1218, 1 Sept. 1642.

⁹⁸ AN X2 1225, 24 Mar. 1646.

⁹⁷ BN MS Fr 17345 fo. 315.

⁹⁹ BN MS Fr 21710 no. 898, June 1654.

with a staff, his eyes were gouged out and he was then drawn in a hurdle still alive to be hanged by the town executioner.¹⁰⁰ His contemporary Jean de Bueil, writing in the immensely influential *Jouvencel*, was even more indignant: duels were vain-glorious: 'never would Jouvencel give leave to a man [to fight] and that such things were forbidden', for they were 'hardly pleasing to God'.¹⁰¹

The elaborate rituals of the judicial combat existed to reduce as far as possible the chances of death. For example, the proposal of combat between Gérard de Mortagne sieur de Cavrines and Gilles sieur de Chin in 1386 makes clear that the duke of Lorraine, under whose authority the combat was to take place, was extremely anxious to resolve the dispute by means other than violence. The formal procedure of rules of challenge and written defiance allowed for arbitration and if this was unsuccessful the elaborate protocols that had to be completed in the arena before battle commenced encouraged further reflection. Even after the final signal had been given, permitting the champions to join battle, a ritual boundary had not yet been crossed: Chin and Cavrines were prevented from coming to blows by the intervention of their own seconds helped by the ducal bodyguard. Two months before the suspended combat at Nancy, Jacques le Gris was killed in front of Charles VI and the dukes of Bourbon, Berry, and Burgundy, his body being drawn through the streets to be hanged from the public gibbet, but the spectacle of this 'unjust combat' was not without its critics.¹⁰² It is oft cited because of its rarity: challenges would be issued and the king asked for his pledge of combat, but no judicial combat was fought before a king of France again until the 1530s.

The tendency to emphasize fencing as a gentlemanly art and to envelop the post-medieval duel in elaborate rituals of courtesy has distracted attention from the simple truth that the martial arts were taught with one end in mind: to kill. Courtesy and generosity to one's opponent were a luxury when one's life was at stake: 'There were many upper-class fools prepared to observe the niceties, but there must have been a far greater number of belligerents sufficiently intelligent to ensure that violence was, as far as possible, weighted in their favour—whether this meant knifing an enemy in the back, blinding him with a handful of grit, or throwing a tankard of ale in his face before kicking him in the testicles.'¹⁰³ Brantôme, whose *Discours sur les duels* is the first systematic French attempt to codify proper rules of courtesy, had no qualms about all-in fighting. Beards were fair game 'for they are very good to grip when they are long and thick'.¹⁰⁴ Though surviving cartels suggest that challenges were made courteously and according to the rules of honourable exchange, they survive because they were collected by supporters of the duel who held them to be exemplars of good practice. How much more common was the written challenge of Peyrot Chapt de Rastignac in 1596? 'Sauvebeuf, you [*tu*] said that you had dishonoured me. You lied knave! You know that when I gave you a blow on the leg

¹⁰⁰ Vale, 'Aristocratic violence', 164.

¹⁰¹ Bueil, *Le Jouvencel*, ii. 100, 103.

¹⁰² *Chronique du religieux de Saint-Denis*, i. 466.

¹⁰³ Anglo, *Martial Arts*, 37.

¹⁰⁴ Brantôme, vi. 241.

you cried mercy! . . . Since you do not wish to fight [a duel] I shall have to thrash you with a baton and by doing so provoke [*braver*] you!¹⁰⁵

As the use of armour declined in the sixteenth century, so duels were likely to be over much more quickly—speed was essential and anything that gave you the edge was legitimate. The advantage clearly lay with the attacker, hence the emphasis on the draw. It is impossible to tell from our documents how long duels lasted before one of the combatants was disabled. François de Simiane fought for fifteen minutes without him or his opponent being wounded.¹⁰⁶ The impression remains that they were usually shorter, a matter of seconds, as the duel that followed Chapt de Rastignac's challenge to Sauvebeuf suggests. The following account is given by Sauvebeuf's second, Guy de Bonneguise sieur de Peyrault:

Laxion and I being before each other with my second move I caught him with a thrust to the head. And having been hit he was dazed and withdrew. And I advanced one or two paces and asked him before striking whether he had had enough, to which he replied 'yes, yes'. And then I left him to run straight to the other two but on reaching them I found he had followed me, and being close to me he shouted 'turn, turn Peyreaulx', which I did. And he immediately fell down in front of me and then by vanity, since I had said the evening before that I wanted to, I cut his face; having broken my sword on his dagger . . . I wanted his sword and I did everything I could to wrest it from him, but seeing his dagger ready to give me a blow and my sword broke, I stabbed him with my [dagger].¹⁰⁷

Peyrault's admission of his 'vanity' gives plausibility to this scene. Judges were not fooled by the discourse of courtesy either.

Combat was diverse; its course depended on the fighting styles of the combatants and the depth of their enmity: a deep-seated feud was more likely to lead to a cycle of violence than an argument over a game of cards. It sufficed in 1631 for Charles de Lévis to be wounded in the arm and his opponent, the sieur de Montespan, in the face, 'and in an instant they both recognized that the subject of their dispute was so trivial that they remounted their horses and returned together'.¹⁰⁸ Whereas the mounted combat between the chevalier de Guise and the seigneur de Luz *fils* was the product of deep-seated animosity and described 'as the most terrible and the most horrible of all the combats which have ever occurred in history'.¹⁰⁹

Documentary evidence shows the mix of fighting styles and the importance of advantage. In 1630 Jacques de Piedefer forced Josias de la Porte to fight with him; the former, armed with a long sword (a rapier?), backed up by his friends, confronted the latter who, fatally, was carrying only a hunting sword.¹¹⁰ The pommel was not only a counter-balance: in 1551 François Carrel was grabbed in a duel by a man with a dagger but was able to knock his man to the ground with his pommel, where he was finished off.¹¹¹ Daggers, ostensibly shunned as ungentlemanly,

¹⁰⁵ BN MS Fr 21811 fo. 138^v.

¹⁰⁶ AN X2b 1238, 28 Apr. 1654.

¹⁰⁷ Ibid., fo. 138.

¹⁰⁸ AN X2b 1195, 5 Apr. 1631.

¹⁰⁹ Rosset, *Les Histoires tragiques*, 29.

¹¹⁰ AN X2b 1199, 7 June 1633.

¹¹¹ AN JJ 261 fo. 327, Nov. 1551. See also AN JJ 260 fo. 126^v, Oct. 1550.

became essential weapons for the duel, leading to deadly close-quarters combat that was distinctly unglamorous: Jacques des Boves fought a duel in Turin with a fellow commensal of the Guise family, whom he stabbed in the neck.¹¹² Unusually, Jean de Semur, 'displaying great humanity', allowed his opponent to pick up his sword in the church of Saint-Antoine-les-Marolles, but his pardon tale is transparent: the poor opponent was outnumbered three to one—Semur was toying with his opponent not displaying altruism.¹¹³ More common was the fate of the sieur de Saint-Alvère; he stooped down twice to retrieve his sword and having failed to do so was run through several times by Jean de Ferrières-Sauvebeuf.¹¹⁴

The *post hoc* reconstruction of events was shaped by legal and cultural norms that imposed order on the desperation and confusion characteristic of sword fights, distinguishing the duel from the brawl, fair combat from foul murder. Ingredients of both are to be found in many combats. Charles-Étienne du Fay's decision, while his brother-in-law stabled their horses, to fight late one evening in a tavern in 1648 may have been to narrow the advantage enjoyed by his enemy's superior reach, for at first his opponent was not to be provoked: 'I am more than you [he said] showing me the length of his cubit [*coudée*]', to which Fay retorted: 'one does not measure [courage] by length: if you are taller than me I am braver than you.' If his intention was to stay at close quarters in such a confined space it worked, having parried the first thrust:

I threw myself headlong at the first [of them] my sword . . . passing through his body with such force that it [went] through his stomach up to the hilt and he fell backwards with me on top of him, my knees on his stomach trying to withdraw my sword, the blade of which was shorn off [*touser*] by the violence of his fall. At once the man sat up and clasped the blade half-way down its length shouting to the other 'kill him! kill him!' before in the same instant expiring; the other grabbed me by the doublet with his left hand and with his right pierced me with several thrusts, forcing me to grab both blades which cut my naked hands.

This was not a simple, ugly brawl. Fay's uncle, the seigneur Bacqueville, was the most powerful man in the area. Unusually for a pardon tale we are given no indication as to the identity of his opponents, but it is clear they were party to a dispute between Bacqueville and his neighbour the sieur de Saint-Ouen. Fay was the enforcer of his uncle's rights and had previously shot at peasants working in a contested field.¹¹⁵

THE ORIGINS OF THE DUEL RECONSIDERED

To argue that there is more to sword play and interpersonal combat than the duel is not to deny that a profound change was occurring in the sixteenth century. No state was more susceptible to the duelling craze than France; nowhere did the duel

¹¹² AN JJ 261/2 fo. 7, Jan. 1552.

¹¹⁴ BN Clairambault 901 fo. 189.

¹¹³ AN JJ 262 fo. 380, Dec. 1553.

¹¹⁵ BN NA Fr 21709 no. 506, June 1654.

become as widespread among all social groups. Explanations for this peculiarly French disease have been hitherto inadequate. Moralists and humanist broadsides targeted the weak rule of and moral decline at the court of Henri III.¹¹⁶ Even his successor did not escape criticism. Not only did Henri IV not issue an anti-duelling edict (France's first) until 1602 'but showed signs of approving them, allowing one to speak about them in front of him, praising and criticizing those that, it was said, had made a good or bad move; this gave such an impression on those newcomers to court that, instead of fighting out of necessity, or for offences caused by misunderstandings, they searched out opportunities to gain reputation and a place in his esteem.'¹¹⁷ Sully, the king's chief minister, was equally critical.

Duelling spread like an uncontrolled brush fire but, as the ineffectiveness of successive royal prohibitions demonstrates, the king's attitude was only one of the currents fanning its flames. Protestants were, by and large, not great duellists, and to lay all the blame on the Wars of Religion for lighting the bonfire is tendentious, since the French reputation for duelling antedated the collapse of royal authority in 1559. Christophe de Roquendorff, a German *Landsknecht* colonel, was angered and astonished in 1554 when the baron de Fontenay unsheathed and thrust at him in the presence of a number of other officers, a thing 'unaccustomed to be done between men of [his] nation.'¹¹⁸

Things had changed since the beginning of the century. In the century following the 1386 combat between Carrouges and le Gris the judicial combat had fallen into desuetude. Challenges continued to be issued, such as that registered by the Norman *échiquier* in 1403 for which a palisade was constructed; but the crown favoured arbitration and, under pressure from the Church, issued a law in 1406 forbidding duels or armed contests in the kingdom.¹¹⁹ When, some years later, Jouvencel reluctantly permits a French and English knight to fight *à l'outrance* over a word of honour, their defensive armour ensured that they both survived unharmed and with their honour intact until the contest ended at sunset.¹²⁰ Charles VIII and Louis XII were circumspect, referring challenges to the privy council for settlement.¹²¹ The evidence is sketchy, but when unauthorized combats took place local judges did prosecute.¹²²

Initially, François I was content to continue the policy of his predecessors. In 1519 he forbade Crevant and Rouy to leave the kingdom and fight, remitting the case to the arbitration of the constable. He later forbade a combat under pain of death and stipulated to the governor of Guyenne that any disobedience in such matters was to be treated as a crime of *lèse-majesté*.¹²³ His attitude changed during

¹¹⁶ Brantôme, vi. 384; Courtin, *Civilité française*, 153.

¹¹⁷ Fontenay-Mareuil, *Mémoires*, Michaud and Poujoulat, 2 ser., v. 30.

¹¹⁸ AN JJ 263/1 fo. 351, Sept. 1556.

¹¹⁹ BN MS Fr 21811 fos. 38–55; Christine de Pizan, *The Book of Deeds of Arms and Chivalry* (University Park, Pa: Penn State University Press, 1999), 199.

¹²⁰ Bucil, *Le Jouvencel*, ii. 108–9.

¹²¹ AN V5 1043*, 13 Jan. 1506; BN Clairambault 901 fo. 127; BN NA Fr 7241, fo. 184.

¹²² AN JJ 192 fo. 25*, June 1461.

¹²³ Billacois, *Le Duel*, 146.



FIG 6.3. Jarnac v. la Châtaigneraye. The last combat fought before the king of France (1547) was marred by Henri II's failure to end the contest before the fatal blow, which led to crowd trouble. From Marc de Vulson, *Le Vray Theatre d'honneur et de la chevalerie*. By permission of the British Library: shelfmark 608 m. 7.

the later years of the reign when he authorized three combats, two of which took place, both in his presence. François had no intention of letting any of the combatants die and suffer the fate of le Gris's corpse, signalling the end of the fight by throwing down his baton.¹²⁴ The architect of the policy change was Anne de Montmorency. Sarzay and Veniers fought at Moulins in February 1538 at his investiture as constable, an event celebrated in a painting hung in the Montmorency residence in Paris.¹²⁵ François himself remained unconvinced by its utility: he refused Jarnac and la Châtaigneraye permission to fight following Anne's fall from grace; they fought only after his return to favour under Henri II.

After the abolition of judicial combat on the death of la Châtaigneraye, its supporters continued to argue for its validity as a means of regulating a practice that was out of control: while it was not Christian to hold combats it was politic to permit a few in order to prevent a superfluity.¹²⁶ The brief revival of the judicial

¹²⁴ Brown, 'Sodomy, honor, treason, and exile'; Martin du Bellay, *Mémoires*, Michaud and Poujoulat, 1 ser., v. 466–7.

¹²⁵ V. d'Audiguier, *Le Vray et Ancien Usage des duels* (Paris, 1617), 374.

¹²⁶ *Lacademiste Francois qui propos des moyens pour bannir les Duels, & pour déraciner les vices qui sont aujourd'hui si frequens parmi la Noblesse de cet Estat* (Paris, 1615), 13^v–14.

combat at the behest of Montmorency was driven by the growing fashion for duels fought without royal consent and the damage this entailed for royal sovereignty. Royal policy was in response to the growing fashion for duels fought *alla mazzza*, Neapolitan dialect for hedge, signifying duels fought outside the palisaded arena, without defensive equipment and with only seconds as witnesses to fair play.¹²⁷ The explosion of unregulated duelling in the second quarter of the sixteenth century came from below in the face of royal disapproval. Unfortunately, the run of letters of remission is interrupted between 1502 and 1522 precisely when the craze for all things Italian was gathering pace. The first evidence of such a duel comes from the Agenais in September 1522 when 22-two-year-old Jean de la Varenne and his companions were on their way to the army; one of them however refused to kiss him, calling him a leper, constraining Jean to give him the lie—they fought with swords on foot, la Varenne receiving a sword thrust to the neck before killing his opponent.¹²⁸ A dozen other duels fought over the next decade share many of the same characteristics: they involved men who had seen service in the army; they were at the bottom of the noble hierarchy, esquires or gentlemen, fighting one to one against opponents of equal status; they fought with swords only, which in a number of cases were explicitly identified as *verduns*, with no defensive equipment save their capes wrapped around their leading arm; they were invariably young, aged under 25, fighting over a point of honour, usually a slight; and unlike judicial combat, these fights were invariably fatal.¹²⁹ They were largely informal affairs in which the battle wager and other rituals were dispensed with: in only one case is enmity announced by a slap on the cheek. There are echoes of the imported Italian practice of fighting in an enclosed field with seconds: Antoine de Montlezun took off his boots before fighting alongside three kinsmen against another kinsman, Barthélemy, and his three seconds in a field outside Roquelaure in the county of Armagnac; in Picardy Jean de Canny, the oldest man in our sample at 53, summed up the new style by reminding his neighbour at a business meeting that ‘were they in a field they could fight as men of worth [and as] gentlemen are obliged to do’; this did not stop them from unsheathing on each other and Canny killing his opponent in the kitchen.¹³⁰ In the first recorded duel fought in Paris in 1532, Pierre de Ternay, a 17-year-old royal page, was summoned by an Italian to fight by the moat surrounding the Bastille. But in France the expectation that vengeance was to be taken publicly ensured that duels took place in broad daylight in towns such as Saintes and Lectoure; as Louis de Saint-Phalle put it, he was ‘ready and willing to [dis]prove [those lies] with a sword to anyone, anywhere he found them’.¹³¹

The popularity of the new duel in France requires some explanation. Partly, it was the product of the French experience in Italy: as well as cultural baggage

¹²⁷ Brantôme, vi. 308.

¹²⁸ AN JJ 236 fo. 4^v, Jan. 1523.

¹²⁹ AN JJ 236 fo. 44^v, Mar. 1523; 236 fo. 331^v, Jan. 1524; 238 fo. 212^v, Nov. 1525; 243 fo. 75, Mar. 1527; 241 fo. 72, Mar. 1528; 244 fo. 60, Feb. 1529; 244 fo. 241^v, May 1529; 245 fo. 72, June 1530; JJ 246 fo. 39, Feb. 1532; 246 fo. 49^v, Mar. 1532; JJ 252 fo. 65^v, Apr. 1537.

¹³⁰ Ibid. 241 fo. 379, Jan. 1529.

¹³¹ Ibid. 240 fo. 251^v, June 1527.

Frenchmen brought back new modes of fighting and fencing masters to teach them, and the dominance of the Italian school and its masters continued until the beginning of the seventeenth century. One of the major attractions for those rich enough to be able to go on the Grand Tour was the opportunity for some recreational fencing tourism, and when tourists crossed paths there was ample opportunity to try out locally purchased swords and recently honed skills. Montaigne wrote of his brother Bertrand's dilemma as a second in a duel in Rome: 'After having disposed of his man, seeing the two principals still on their feet and intact, he went to the relief of his teammate. What less could he do?'.¹³² To be able to 'execute a Florentine thrust' was a boast that could be made by the less well-travelled and sophisticated too.¹³³ The army in Italy was a breeding ground for this new fencing culture. Garrison duties left little room for chivalric derring-do and, like their modern counterparts in Lermontov's *Hero of our Time* or Roth's *Radetsky March*, the tedium of frontier life was alleviated by squabbles over points of honour. The anarchy of unregulated duels became such a problem in the French garrison of Piedmont by the 1540s and 1550s that commanders began sanctioning combats as long as they followed the correct rules of the challenge and employed equal arms. With its *beaux combats* the French army in Piedmont became 'a school of war'.¹³⁴

The young men of the 1520s differed from their forefathers in a number of other aspects too. Social mobility and economic growth at the end of the fifteenth century had created a much less homogeneous social elite. Lawyers, nobles of the *robe*, and bourgeois alike wished to enjoy the recognition that their growing self-confidence demanded. Thus Marin de Semale called his neighbour, an esquire and man-at-arms, 'so called sieur de Semale', and asked whether he wished to 'debate his nobility with his sword'.¹³⁵ Marot's immortalization in verse of the sieur de Chissay, 'noble homme', scion of a family of financial officials who was killed in a duel at court in 1517, captures the spirit of this change in its infancy. The château of Chissay lies in the heart of the Valois power base in the Loire and was built from the profits of royal service. Nor were these mundane feats of courage confined any longer to the lord's hall—Marot's poem was printed and made available to a wide audience.¹³⁶ Tales of chivalry were the best-selling secular titles and there were new heroes to imitate: Champier's life of Bayard appeared only months after the model knight died in 1525. If for common mortals in the Renaissance dying was a simple fact of existence, for the nobility there was *la mort* and *la belle morte*, signifying the honour and reputation that one's death conferred upon the individual and his lineage; it was a terrestrial and worldly rather than a spiritual view of death.¹³⁷ The gentleman's insouciance

¹³² D. Frame, *Montaigne: A Biography* (London: Hamilton, 1965), 34.

¹³³ AN X2b 1176, 1 Mar. 1585.

¹³⁴ Brantôme, vi. 390.

¹³⁵ AN JJ 261 fo. 162, June 1551.

¹³⁶ C. Marot, *Ladolecence clementine* (Paris, 1532), fo. 61.

¹³⁷ H. Germa-Romann, *Du bel mourir au bien mourir: le sentiment de la mort chez les gentilshommes français, 1515–1643* (Geneva: Droz, 2001).

towards death marked him out from the commoner. No wonder theologians saw the duel as unchristian.

Duelling was also popular because it was democratic. Expensive armour and a train of attendants were now superfluous. Duelling in shirts led to an equality that favoured merit over wealth. Everyone, not just a narrow class of knights, could now aspire to win worldly renown. This probably explains why the modern duel began in Renaissance Italy. Hierarchy, as many anti-duelling treatises feared, was overturned. Of course it was, in theory at least, demeaning to fight someone below one's social station. But snobbery, which permeated all areas of life, was less in evidence on the field of combat. Part of the attraction of d'Artagnan and his nemesis Rochefort to modern audiences is that they are men on the make. Even princes sometimes fought (and died in) duels. And those of lowly social origin could make a certain *éclat* in the world: in 1546 Jean Girault 'gentleman' was killed in a duel by Pierre 'gentleman of the house of Chabannes one of the oldest and most notable of our kingdom'; in 1612 an illiterate soldier, Monget, killed the baron de Termes, his rival in love, in Paris.¹³⁸ Gentlemen distinguished themselves from the *hoi polloi* by carrying elaborate civil swords. Yet swords were not mere indicators of social status; they were statements of intent—that you were a man of honour and prepared to sacrifice your life for your reputation.

CONCLUSION

Duelling spread rapidly from its inception in the 1520s. In 1537–9 there were duels in Brittany, Picardy, Normandy, Berry, the Rouergue, the Auvergne, and in the cardinal of Lorraine's suite in Brussels, and the revival of the judicial combat by the king was a response to the spread of its bastard offspring.¹³⁹ France was temporarily at peace and soldiers were returning to their homes. Armies were notorious for spreading plague and, as the theatre of the Habsburg–Valois Wars moved in the 1540s from Italy to a relatively static front on the frontiers of France itself, duelling infected the body politic. By the mid-1550s its rituals were well developed with seconds employed to arrange fights and the appearance of the slapped cheek as a challenge.¹⁴⁰ Before the unforeseen death of Henri II in 1559, therefore, duelling *alla mazza* was embedded in the lower echelons of the elite. Thereafter it mutated in a more dangerous fashion, increasing in frequency as royal authority collapsed and the noble feud intensified, and spreading from the

¹³⁸ Billacois, *Le Duel*, 123; AN JJ 257/2 fo. 66^v, May 1546; BN NA Fr 21711 no. 1255, June 1654.

¹³⁹ Brantôme, vi. 341; AN JJ 253/2 fo. 29^v, Apr. 1538; 253/2 fo. 17^v, Mar. 1538; 253 fo. 105^v, June 1539; 253/1 fo. 130^v, July 1539; 255/1 fo. 39, 1541; 261 fo. 230, Aug. 1551.

¹⁴⁰ AN JJ 261 fo. 126^v, May 1551; 260/2 fo. 30, May 1550; 257/2 fo. 35^v, Mar. 1546; 261 fo. 131, 22 May 1551; 261/2 fo. 336^v, Oct. 1552.

rural hinterland and the margins of nobility to the streets of Paris and corridors of the royal court. The 'diabolic practice' of employing seconds to fight was thought by commentators to have originated during the factional struggles of the 1570s—the most famous being the combat of April 1578 on the outskirts of Paris between the royal favourites, Caylus, Maugiron, and Livarot, on one side, and Entraguet, Ribérac, and Schomberg, on the other—but in fact the practice had begun before the Wars of Religion.¹⁴¹ Custom dictated that one side would be offered honourable submission as soon as one man was killed or incapacitated, and many duels followed this pattern. But in combats with larger contingents this was unmanageable. On his deathbed, Caylus complained bitterly because he did not have a dagger and had been taken at a disadvantage, but Entraguet had told him, 'we are here to fight and not to nit-pick about arms'.¹⁴² To have withdrawn at this stage would have left Caylus open to accusations of cowardice.

The deaths of three men in a duel in 1586 was, for Brantôme, most notable for Biron's skill, 'for so promptly and instantly . . . dispatching his man that he went and helped the [two] others, which he did very well and showed, that along with valour, he had judgement and foresight'.¹⁴³ The elision of the duel into the encounter gathered pace in the early seventeenth century. The first specific evidence for the mounted duel dates from 1598 and we have six further instances in the first half of the seventeenth century, four of which took place in Paris where such occurrences were less likely to go unnoticed than elsewhere.¹⁴⁴ In two of these the combatants carried pistols as well as swords. Firearms, an essential accoutrement for an encounter, only began to make an appearance in duels proper after the death of Louis XIII. Although the practice seems to have begun in the army, the arrest of the exiled duc d'Elbeuf and the prince de Chimay in Brussels in 1642 shows that duelling pistols were not the preserve of the lowly.¹⁴⁵ Pistol duels during Anne of Austria's regency did not resemble the student and bourgeois affairs of the nineteenth century, for duellers invariably discharged their firearms before closing with a sword in what were in reality mini-encounters of up to three men on each side.¹⁴⁶ To what extent all these duels were fought without advantage following prescribed rituals is impossible to know, but whereas duels of three against three were rare during the Wars of Religion, we find twenty examples of three or more men per side between 1609 and 1663. A memoir drawn up for the chancellor around 1660 covered 53 combats involving over 220 combatants, fought in the jurisdiction of the Parlement of Paris, largely during the years 1655–60. Most

¹⁴¹ AN JJ 261 fo. 344, Oct. 1551.

¹⁴² Brantôme, vi. 314.

¹⁴³ Ibid.

¹⁴⁴ BN MS Fr 3583 fo. 20, 20 Apr. 1598; AN X2b 1182, 12 Apr. 1613; Rosset, *Les Histoires tragiques*; Tallemant des Réaux, v. 212, vii. 297–8; J. Trévédy, *La Seigneurie et les seigneurs de Guémadec* (Rennes, 1888), 22; Pierre de l'Estoile, *Journal pour le règne de Henri IV*, ed. L.-R. Lefèvre, 3 vols. (Paris: Gallimard, 1948–60), iii. 255.

¹⁴⁵ BN MS Fr 21811 fo. 24.

¹⁴⁶ BN MS NA Fr 21709 nos. 372, 396, June 1654; 21711 no. 481, June 1654; no. 1153, June 1654; M. Bertrand, *Notice historique et généalogique sur la maison de Chapt de Rastignac* (Paris, 1858); AD Haute Garonne BPS 746, 21 Oct. 1666.

involved two men per side, but nearly one-fifth of them (involving more than 72 men) had more than three per side. A smaller minority quite clearly merge into the category of the encounter. In September 1656 fourteen Limousin noblemen fought a contest near Uzerche.¹⁴⁷ The participants themselves did not necessarily call these combats 'duels'—in Falaise in 1647 there was 'a premeditated action of four against four, in which two were killed'.¹⁴⁸ The six per side mounted encounter fought in the Auvergne during the Frondes between supporters of the princes on one side and royalists on the other, in which the latter lost two men, has echoes of the medieval trial by combat.¹⁴⁹

From the advantages enjoyed by Entraguet and Biron to the fixed duel was but a short step. From very early in the history of the French duel, vengeance seekers saw the duel as an opportunity to disguise murder as an even-handed contest: the ambush was dressed up as a rendezvous; the cunning trap hidden behind the public challenge; the disadvantage in numbers explained away by the arrival of fortuitous support.¹⁵⁰ When Jacques de Franqueville was killed by Louis de Louvigny in 1604 his brother, who had been watching the duel 200 paces away, was so furious that he rushed over and finished off his brother's wounded (and undoubtedly exhausted) killer.¹⁵¹ Although it could not be proved, Guillaume de Beaufort-Canillac was said to have killed his first man in a duel by swapping an empty pistol with his opponent before firing.¹⁵²

The early modern French duel thus differed from its medieval predecessor in its lack of rules and in its brutality. Montaigne complained that these combats were nothing more than 'battles and encounters'.¹⁵³ The French duel also differed from the duel elsewhere, where the drawing of first blood usually sufficed to repair honour. At the end of the sixteenth century Italian observers were shocked at the extent to which the hazardous French variant had diverged from its Italian progenitor: 'They do not [fight]', the Venetian ambassador explained, 'as usually is the case in Italy to the first or second drawing of blood, with seconds who separate them when time is up.' Instead they fought to the 'bitter end'.¹⁵⁴ Partly this was a reflection of the bitter political and religious differences that cleaved France, but it was also inherent to the psychology of the warrior, a subject to which we shall now turn.

¹⁴⁷ BN MS Fr 17345, fos. 98, 164.

¹⁴⁸ BN NA Fr 21711 no. 1478, June 1654.

¹⁴⁹ Lastic, *Chronique de la maison de Lastic*, 349.

¹⁵⁰ See for example: AN JJ 261/1 fo. 178, Apr. 1556.

¹⁵¹ ADSM G 3504, 17 May 1610.

¹⁵² AN X2b 1267, 15 Oct. 1665.

¹⁵³ N. le Roux, *La Faveur du roi: mignons et courtisans au temps des derniers Valois* (Paris: Champ Vallon, 2001), 398.

¹⁵⁴ E. Dickerman, 'Henry IV of France and the battle within', *Societas*, 3 (1973), 208.

The Rage of the Gods

Where vengeance killings or duels took place, as they often did, in the full glare of the public gaze they were thereby legitimized. The ritual elements of combat have been exaggerated, but it is undoubtedly true that public acts of vindictory violence contained a performative element. Storytellers and playwrights are drawn to revenge partly because of its dramatic possibilities. Achilles' revenge on Hector is played out publicly beneath the walls of Troy and in the intrusive presence of the gods. Renaissance dramatists, and Shakespeare in particular, were as aware as Homer of both supernatural and human dimensions of the theatre of revenge. It will come as no surprise that the words of French nobles are rarely poetic enough to illuminate their psyche, but by studying their deeds we can peel away the encumbrance of chivalric and Christian self-justification and glimpse the naked warrior beneath. The representation of behaviour, exemplified by the chivalrous conventions that govern our understanding of the nobility, needs to be measured against praxis, specifically the relationship of the killer to his victim and to his victim's corpse. Moreover, the Renaissance gave greater prominence to classical notions of revenge. The Pompadour brothers Jean III—'the court's gilded blade'—and Louis had both killed men in duels in the 1560s. Louis was a reader of ancient texts and an epistolary dedication of 1615 compared son to father:

You have retained a lot of the humours of the actions of this divine and valiant Achilles . . . for when you were still a youthful adolescent you fought in a duel against one of the most hardy and valiant knights of Guyenne, who did not get the better of you: indeed both of your swords were stained with each other's blood. Spectators from afar, friends of both parties ran over and, not without difficulty separated you. Everyone admired the boldness and generous heart of one so young, even your opponent.¹

Classical history and mythology had long gilded chivalric culture. Achilles, however, was a problematic hero: on the one hand he was the ur-warrior, the epitome of martial virtue; yet his divinity made him a controversial, even offensive figure to early modern people, for his godlike rage following the death of his beloved Patroclus causes him to violate Christian (and Greek) values. Furthermore, the analogy raises wider issues about noble identity. While vindictory violence

¹ L. Guyon, *Le Miroir de la beauté et santé corporelle* (Lyon, 1643), epistle.

during the Renaissance had no need of classical models to imitate or to legitimize it, there are striking correlations between Achilles' boundless rage and the inhumanity of French nobles, unfettered by Christian and chivalric principles, toward their enemies.

THE FACE OF BATTLE

Verbal duelling was often the preliminary to an act of violence and when combatants stood face to face exchanges introduced the action, as when the lord summoned his minions to 'kill!, kill!' or the duellers took their guard. To announce a victim's death while he was prostrate was to play the executioner, to demonstrate one's power, and even to savour the moment of victory and suffering. Malign utterances were not simply inventions by the plaintiff to gull the investigating judge (and the historian): vindictory violence was after all a public reckoning and words seem to have been a necessary antecedent to the act of killing, whether as an honourable exchange between two equals or the humiliation of an opponent caught at a disadvantage. Jacques Thorel admitted to the canons of Rouen in 1595 that his master grabbed his victim, a monk of Valmont, by the collar and announced to the assembled monks that he was going to die before skewering him—this was a warning to them to keep off his hunting reserve.² Words announced the kill, just as the threshold is crossed. Since revenge was owed to the lineage the obligation to kill was often alluded to, and confessible in a pardon tale.³ Alexandre de Castellat was attacked in 1632 with the words 'You (*tu*) killed my father! I must kill you!'⁴ A final farewell could be added, sometimes sarcastically: 'Adieu Forges! We'll see each other soon in whichever place awaits us!'⁵ A common refrain—'faut que tu meure'—can be more loosely translated as 'you're gonna die'.

Brantôme and the other codifiers of duelling practice would have been horrified at such discourtesy—the victor should not brag and act triumphantly but act with Christian humility and give thanks to God. When offering a man his life do so with grace—never say 'Submit, or die.'⁶ There were many exemplars of good practice; though Jarnac's piety, both in his preparations for and in the aftermath of his duel with Châtaigneraye, was a little *outré* even for the most devout—an early indication of his Protestantism perhaps. After Georges de Bonnestat was killed in a duel in 1587 his younger brother, who had acted as second, refused to be party to his sister-in-law's criminal action: 'for the younger brother recognized where the blame lay and the obligation to the party for his life and for the courtesy he

² AD Seine-Maritime G 3503, May 1595.

³ Baptiste de Castellane confessed in his pardon tale that his brother Louis had shouted 'Kill! Kill! He must die' during an ambush in 1545: AN JJ 261/1 fo. 409, Oct. 1556.

⁴ AN X2b 1201, 27 Feb. 1634.

⁵ AN JJ 263/1 fo. 189, June 1556; AN X2b 1214, 26 Apr. 1641.

⁶ Brantôme, vi. 362–4.

had received from [his enemy], such that the lawsuit was not warranted or required'.⁷ Brantôme thundered:

It is a most villainous and treasonous trait, and bragging about it stupid and foolish, if one meets one's enemy in a street or in a field and attacks first without any warning, running him through his body or severing his sword hand, leaving him half dead; or [else] wounding him in another sort of ambush, and then saying afterwards that you had offered him his life.⁸

Brantôme wrote precisely in order to counter these pernicious developments. Pardon tales were sometimes candid. Jean Rocque, a commoner, admitted leaping in front of Simon de Rambures, a Picard noble with a distinguished lineage, 'in order to have the advantage' and getting in a blow before the other could draw his sword.⁹ Word of mouth produced rules for survival, as well as transmitting codes of courtesy. First, never trust an opponent: the comte de Louvigny indicated to marshal Hocquincourt that they should remove their spurs and as his opponent bent down he struck the first blow.¹⁰ Secondly, weapons alone do not provide an edge over your foe. If you couldn't catch him with his trousers down at least make sure, as Chalais did in a famous duel in 1626, that your opponent was forced to fight in unsuitable and cumbersome footwear.¹¹ Thirdly, do not spurn the gifts of lady fortune: Marquis Marie seized his opportunity in 1551 when his opponent's sword broke, running him through after a pursuit.¹² Finally, those who are outnumbered rarely live to publicize the injustice, as the comte de Saint-Aignan did in 1656 when he miraculously fought off four assassins, killing two in the process.¹³

In weighing the balance of probability, the meticulous questioning of the judges of the Parlements is a better guide than conduct books to the realities of combat. In a bloody encounter between two Angevin clans in 1605 the investigating magistrate put it ironically to René de Chesnau that 'it is hard to believe that as a servant and living as he does in the household of the damoiselle de la Brinière he sat with his arms crossed without helping the others?' And that 'is it not at all likely that during the combat one of their opponents, who were fewer in number, would on a simple admonition from the accused, release the trigger of his arquebus?' In the courtyard mêlée, the judge surmised, the sieur de Lourrelière was first held down and then run through five or six times before fleeing and locking himself in a barn, where he was tracked down and finished off.¹⁴ Judges were able to make these assumptions based not only on (unreliable and biased) testimony but on detailed post-mortems. Surgeons examined the bodies of the dead and verified a plaintiff's wounds as part of the judicial investigation. Wounds have much to tell us about the nature of violence in early modern society and about fighting techniques in particular. Evidence from the morgue records of eighteenth-century Paris shows that duellists were overwhelmingly more likely to receive a wound on

⁷ AN X2a 1395, 20 Aug. 1588, plea on behalf of René Dorléans prisoner in the conciergerie.

⁸ Brantôme, vi. 364.

¹⁰ Tallement des Réaux, iii. 107.

¹¹ Ibid. 108.

⁹ AN JJ 261 fo. 35^v, Mar. 1551.

¹² AN JJ 261 fo. 162^v, June 1551.

¹³ Granges de Surgères, *Gazette*, i. 286–7.

¹⁴ AN X2b 1180, 29 May 1609.

the chest (70 per cent) than any other part of the body. The consistency of the eighteenth-century fencer reflects a high level of skill complemented by swords that were considerably lighter than those carried before the first half of the seventeenth century. The heavier and longer swords of the earlier period were made for cutting as well as thrusting; the use of daggers, mainly to attack the stomach, throat, and neck, and the persistence of defensive armour, involved different fighting techniques and resulted in a greater range of injuries.¹⁵

Mêlées and encounters produced a greater variety of wounds and, although accounts of fighting were stylized, injuries had at the very least to conform to the evidence provided by surgeon's reports. In the battle between the Fayolle and the Bourdeille in 1489 we can recreate with some confidence the scene by reviewing the Fayolle's pardon tale in the light of the wounds they themselves inflicted. Guyot de Bourdeille struck an opponent armed with a dagger and javelin several times with a two-handed sword, inflicting a mortal blow to the head. Bourdeille was himself surrounded and overwhelmed by greater numbers, receiving dagger wounds to the neck, back (twice), and below the shoulder. It seems unlikely in these circumstances that the Fayolle were acting, as they claimed, in self-defence. Judges were naturally suspicious of wounds to the rear or injuries inflicted while an opponent was down.¹⁶ When Jacques Galiot presented his letters of pardon to the Parlement in 1612 the presiding magistrate was unconvinced that he had withdrawn from the duel once his opponent was down and retraced the methodical *coup de grâce* through the accumulation of wounds:

after an initial parry the respondent slashed him again on the wrist and fist of the defunct, cutting the nerves in his arm and making him drop his sword so that he [could] thrust at the defunct who parried with his dagger, which he held in his left hand, and the respondent gave him another slash on his left arm causing the dagger to drop from his left hand, throwing himself on him and stabbing him four or five times with his dagger as he cried for mercy.¹⁷

Stabbing someone in the back was not reprehensible in all circumstances. In a rare duel with knives in 1651 the comte de Carné made a dash for a sword. He was warned to turn and face by his opponent, and when he failed to do so he was stabbed in the back.¹⁸

Individual bravery and group *esprit de corps* might offset the advantage enjoyed by an opponent. A retinue did not exist merely for show and satellites had to be prepared to die for their master. One Herult gave up his own mount after his master's was killed in an encounter with the Apchier clan.¹⁹ Lackeys were not unknown to make the ultimate sacrifice, throwing themselves into the path of swords and bullets.²⁰ Fortune

¹⁵ In the letters of remission studied by Isabelle Paresys for the reign of François I, 37% of victims suffered sword wounds to the head and only 15% to the chest. For a discussion of these issues: Brioist et al., *Croiser le fer*, chap. 7.

¹⁶ AN JJ 220 fo. 129^v, Oct. 1489.

¹⁷ AN X2b 1181, 28 Mar. 1612.

¹⁹ AN X2b 1179, 19 Apr. 1602.

¹⁸ Tallement des Réaux, vii. 300.

²⁰ Isaac de Laroze for example: Vignon, *La Vendetta des Gadagne*, 31.

also had a role to play. The attack on servants of the Anjony in 1465 would surely have been more bloody had not the strong wind hampered one of the assassins, Bessière 'the fencer' (*escrimaire*), blowing his cape in his face and allowing the victims to counter-attack.²¹ Antoine de Conflans was almost unable to take advantage of the breaking of his opponent's sword in 1565 because he was short-sighted and wore glasses.²² The intervention of passers-by is more than a topos in our documents, for the expectation that bystanders would intervene to prevent bloodshed was one of the reasons for fighting in a public space.²³ In Lectoure, Geoffrey Durban pursued his wounded opponent into a shop but did not strike his man again 'to avoid a greater scandal', and when they reappeared in the main street several people restrained him because the other man had dropped his sword.²⁴ Antoine de Chandio confessed that when 'hot with anger' he had pursued his opponent to the door of a house in Dijon only for the owner to shut him out, saving the man's life.²⁵

The rules of mounted combat were different from those on foot. For one, intervention by passers-by was unlikely, though the many observers of the assassination of the comte de Belin did rush over to his corpse saying 'that it was a great pity to see a man killed in such a way and that had they been able they would have stopped the killers'. The assassin told them to mind their own business.²⁶ Hand-to-hand fighting on horseback depended more on horsemanship and physical address than swordsmanship. Mounted sword fighting was especially dangerous because (for the right-hander) the left flank was exposed. Horses were as diverse as models of car and each model had its own function. The snap judgement to fight or flee could be made with an expert glance at the opponents' horses. Jean-Louis de la Broue remembered in his interrogation that one of his opponents had been mounted on a 500-*écu* horse—the top of the range.²⁷ François Hauteroche had time to change mounts during a combat in 1543, swapping one valued at only 100 *sous* for a more powerful beast.²⁸ Judges worked out the balance of probable advantage by paying close attention to the mounts of both parties. In his pardon tale, Jacques de Beaumaisre demonstrated that he acted in self-defence by the fact that he was on a mule whereas his opponent was on a light Turk or Spaniard.²⁹ When using pistols however a steady firing platform was as important as manoeuvrability. As Robert de Clermet was only on a 10-*écu* nag he let go of the reins altogether 'to free himself up for the combat'.³⁰ The end was usually in sight for a combatant once dismounted. Knocked to the ground, Gaucher de Quiqueran still managed to wound one of his assailants in the face before succumbing to terrible injuries.³¹ The comte de Gramont complained that in their duel in 1615

²¹ Grand, *Anjony*, 83.

²² AN JJ 264 fo. 260, July 1566.

²³ For an example of restraint in a cemetery: AN X2b 1205, 27 Sept. 1636.

²⁴ AN JJ 246 fo. 49^v, Mar. 1532.

²⁵ AN JJ 264 fo. 306, Oct. 1566.

²⁶ AN X2b 1220, 23 Dec. 1643.

²⁷ AN X2b 1191, 30 Jan. 1627.

²⁸ AN JJ 257/3 fo. 175, June 1547.

²⁹ AN JJ 246 fo. 86, June 1533. See also AN X2b 1201, 27 Feb. 1634.

³⁰ BN NA Fr 21709 no. 333, June 1654.

³¹ See also AN JJ 263/1 fo. 189, June 1556.

la Force has tried to kill him by trampling him underfoot, knocking him unconscious and leaving him for dead.³² The particularly chaotic nature of mounted combat is best demonstrated in the attack on Belin in a village outside Paris. This well-planned ambush by three mounted men each with two pistols initially went according to plan. Belin was taken by surprise and forced up against a wall, letting off one of his pistols in desperation; shouting 'Ha! Belin', the marquis de Bonnavet returned fire from ten paces and also missed, throwing his pistol and hitting Belin in the head. Belin's luck momentarily changed; his valet fired and wounded Bonnavet in the shoulder and a passing carriage obstructed the attackers and enabled him to escape. He was now pursued in the narrow streets of the village at the gallop by Bonnavet, screaming, 'You missed me but I shall not miss you.' He felled his prey with his second pistol shot. Bonnavet then claimed that he was pursued by Belin's valet all the way back to the porte Saint-Honoré with his sword swishing around his ears before his pursuer's horse collapsed exhausted.³³

Flight was obviously more of a possibility on horse than on foot, and a good horse could be a life-saver—making the horse itself a target. Pierre de la Noue, writing in 1621, stated that blows to the horse's nose and the cutting of the reins, leaving horse and rider like a rudderless ship, were especially dangerous.³⁴ When his horse was hit with a pistol shot the marquis de Montbrun rode his injured mount straight into his opponent's horse, unbalancing the rider and leaving him prostrate. Montbrun showed no mercy.³⁵ Once dismounted flight was not only difficult but hardly an option for a man of honour, since it would be a badge of ignominy. In an encounter around 1620 between the baron de la Gorce and the sieur de Brizon in the Vivarais, the latter retreated to the safety of Villeneuve-de-Berg to the taunts of 'You're running away, knave!' When Brizon replied that he had been attacked treacherously la Gorce gave him the lie. Even though Brizon counter-attacked, was wounded, and captured some horses the stain of flight in the face of an enemy remained: 'in this little war one side lost their horse, the other side their honour.'³⁶

THE THEATRE OF BLOOD

This humiliating flight had been played in full view of the Protestant community of Villeneuve, who tried to help Brizon reclaim his honour—'even the women got mixed up' in the counter-attack.³⁷ Animosity and hatred were public relationships between feuding parties and there was an expectation in the sixteenth and first half

³² Jaurgain and Ritter, *La Maison de Gramont*, i. 391.

³³ AN X2b 1220, 22 Dec. 1643.

³⁴ Anglo, *Martial Arts*, 265. Pierre de la Seulle managed to grab his opponent's reins before discharging his pistol: AD Seine-Maritime G 3503, 13 May 1596.

³⁵ AN X2b 1220, 10 Dec. 1643. See also: AN X2b 1179, 19 Apr. 1602; JJ 265 fo. 206, Oct. 1567; X2b 1182, 8 Oct. 1614.

³⁶ A. Mazon, 'Trois combats singuliers en Vivarais', *Revue du Vivarais*, 4 (1896), 593–4.

³⁷ *Ibid.*

of the seventeenth century that revenge should be publicized. Fighting in a public place at once proclaimed the defence of one's honour and allowed for the intervention of a third party. Brantôme was especially critical of the privatization of duelling: 'There is a difference between a ceremonial combat ordered and solemnized by judges, *maîtres de camp*, seconds and kinsmen, and those [combats] out of the way, in a field under nobody's eyes—there all is war.'³⁸

In practice, where duelling was unregulated, it was rarely done in secret, as the many eyewitnesses to duels attest. The spectacle was a highlight of the aristocratic tour of Italy, offering the possibility of both participation and adulation. Jean du Plessis, a minor Breton noble and fugitive from justice, fought a duel in Padua over a debt in front of over a hundred gentlemen.³⁹ Bussy d'Amboise's abortive duel with Gramont in Paris was attended by 600 of their supporters.⁴⁰ Illegal spectacles in France were prone to disorder. In 1590 the crowd of fifty spectators watching a duel between two royalist soldiers did not or could not prevent the irruption of the Anjony family into the arena to save their man and kill his opponent.⁴¹ These actions were staged to garner approbation and win renown. The aura that the Guise family continued to radiate in the seventeenth century, despite its financial and political vicissitudes, was sustained magnificently by its continuing ability to defend its honour in public displays of violence. After the chevalier de Guise returned from fighting the baron de Luz *fils* in the rue Saint-Honoré, having the day before killed his father in a duel, the court braves flocked to the hôtel de Guise to acclaim his glory. His victories were celebrated in verse and publicized in the quasi-official *Mercure françois*. Acclamation in the provinces was also forthcoming: on returning to Provence the following year he compared his wounds with the locals. He gave a copy of the cartel that he had sent to Luz *père* to Lion de Quiqueran, who for one was unimpressed by Guise's bragging, 'glorifying himself to extremes for his good fortune in these combats, for which Lion harshly criticized him for not giving the glory to God as he should'.⁴² Cartels were public manifestos. How many copies the chevalier de Guise distributed we do not know. Louis de Villoutreys showed a challenge to his neighbours and to his peasants in 1653 so that its sender was unable to deny it when he took him to court.⁴³ Cartels were published and posted to ensure the maximum exposure. They also circulated in manuscript form and became collectors' items.⁴⁴

Since honour had to be proclaimed, acclaimed, and confirmed publicly, certain social spaces were privileged over others. We have already discussed the role played by parish churches in neighbourly disputes. Suffice to say that cemeteries made

³⁸ Brantôme, vi. 323.

³⁹ AD Seine-Maritime G 3503, 4 May 1581.

⁴⁰ Mouton, *Bussy d'Amboise*, 153. Even the 1586 combat between Biron and the prince de Carençy, fought 'secretly' a league from Paris in a snow flurry to avoid the king's displeasure, was witnessed by a few poor people, allowing the victims' families to gather witness testimony against the survivors: Brantôme, vi. 316.

⁴¹ Grand, *Anjony*, 114.

⁴² AN AB xix 3346/1, fo. 45–45^v.

⁴³ wysiwyg://20/http://marie.3palis.free.fr/histoire/histoire.htm (2003).

⁴⁴ Billacois, *Le Duel*, 98.

good duelling grounds because they were enclosed public spaces, but there was an awareness of their import: Jean Rocque wrapped his cloak around his arm and unsheathed in the cemetery of Saint-Blimond but refused to attack because it was 'a sacred place [and he wished not] to cause any offence'.⁴⁵ Choosing to fight after mass also raised the chances of intervention from the congregation.⁴⁶ Bridges were favoured locations for similar reasons. Duels in the larger cities must have been spectacular affairs: five against five on the Seine bridge in Rouen in 1579. The *mêlée* between the retinues of Nantouillet, provost of Paris, and the seigneur de Curton on the Pont Saint-Michel in Paris in 1550 attracted so much hostility that one of the provost's men ran off 'to avoid the fury of the people who were assembling there'.⁴⁷ The rebuilding of Paris in the seventeenth century provided a monumental backdrop for the drama of revenge, especially the construction of the Place Royale. So too the remodelled Pont Neuf with its magnificent equestrian statue of Henri IV: it was the only bridge across the Seine without houses on it. A year before its inauguration in 1607 Jacques de la Fin de Nocle, an inveterate conspirator, was gunned down by fifteen cavaliers and run over by a carriage.⁴⁸ It provided the setting for the clash between Pontgibaut and Chalais, one of the most famous duels of the 1620s. Less well known was the mounted duel on the bridge on 7 May 1628 between two powerful Upper Norman neighbours, François de Pardieu and François de Bigars marquis de la Londe, in which the latter was killed; their choice of venue, beneath the nose of the cardinal de Richelieu so soon after the execution of Montmorency-Bouteville, is significant.⁴⁹ The bridge continued to serve its bloody purpose into the personal reign of Louis XIV. As crossing points between jurisdictions bridges were natural sites for confrontation, but also for parleying and peacemaking. The murder of Jean the Fearless on the Yonne at Montereau during peace negotiations with the Armagnacs was one of the most dramatic incidents of the Hundred Years War. If the baron de Saint-Vidal knew of the event he drew no lessons and suffered the same fate during peace talks with his Polignac enemies on the Pont d'Estrouilhas at Puy-en-Velay in 1591.⁵⁰

The festive and ceremonial calendar provided other opportunities for highly public demonstrations of power through display, intimidation, and violence. Gangs of preening nobles roamed fairs, often with the intention of provoking violence. Serious disturbances occurred between rival retinues at the great horse fair at Guibray near Falaise in 1551, 1631, and 1662.⁵¹ The fair at Saint-Antoine-les-Marolles in the

⁴⁵ AN JJ 261 fo. 35^v, Mar. 1551. For other examples: AN JJ 259 fo. 299, Oct. 1549; 261 fo. 162^v, June 1551; AD Seine-Maritime G 5008, 24 May 1660.

⁴⁷ Floquet, i. 346–7; AN JJ 261 fo. 130^v, May 1551.

⁴⁸ Caumont de la Force, *Mémoires*, i. 184, 426.

⁴⁹ AN X2b 1195, 27 Feb. 1631.

⁵⁰ Burel, *Mémoires*, 249.

⁵¹ Floquet, i. 544, ii. 417; V. des Diguères, *Seigné* (Paris, 1865), 290. For other fairs: AN JJ 197 fo. 156, 1471; 236 fo. 44^v, Mar. 1523; 259 fo. 15^v, Jan. 1549; AD Seine-Maritime G 3503, May 1582.



FIG 7.1. Men duelling on the Pont-Neuf, c.1665, Musée Carnavalet, Paris, captures the banality of duelling in France. Note the large numbers of onlookers and the men rushing to intervene. Copyright: The Bridgeman Art Library.

Auvergne was a rendezvous for troublemakers in the first half of the seventeenth century.⁵² No better opportunity existed to have one's honour recognized by one's peers than at a representative assembly, where political manoeuvring and social jockeying had the potential to spill over into violence. Clashes may have been the result of a simple precedence dispute, such as that which led to the assassination of the baron de Nevet at the Estates of Brittany in Rennes in 1616.⁵³ At other times there were wider political factors involved. The duels between the favourites of Henri III and his brother Alençon disrupted the Estates General in 1576; or there was the murder of the royalist governor of Provence, the duc d'Angoulême, by Catholic leaguers at the provincial Estates of 1586, or the rash of duels that accompanied the Estates-General of 1614.⁵⁴

⁵² AD Cantal, 11 June 1615 and 11 June 1652.

⁵³ P. Phélypeaux de Pontchartrain, 'Mémoires', Michaud and Poujoulat, 1 ser., xvii. 374.

⁵⁴ Le Roux, *La Faveur du roi*, 371–2; W. Kaiser, *Marseille au temps des troubles, 1559–1596: morphologie sociale et luttes de factions* (Paris: EHESS, 1992), 271–2; Cuenin, *Le Duel sous l'Ancien Régime*, 57.

The heat generated by too many swaggering gentlemen rubbing shoulders in the narrow streets of a town was a more common cause of disturbances; it was the most convenient venue for ensuring that honour was publicly vindicated. As the pardon tale of Antoine de Beaucaire stated, he could not retreat when he saw his enemy in the street 'for his honour, having always been of the profession of arms and a gentleman'.⁵⁵ Until the end of the seventeenth century the notion that aggression was legitimate if conducted in public continued to hold sway, as the sieur de Saint-André put it to his enemy near the Carmes in the centre of Toulouse: 'Hold on, here is a proper place for us to fight'.⁵⁶ The extent of political and religious violence in the streets of the capital during the Wars of Religion is well established, contributing to the numerous vengeance killings, encounters, and duels on the city's streets. By the turn of the sixteenth century the Pré aux Clercs, waste ground on the edge of the city, a place for recreation along the Seine in the jurisdiction of the abbey of Saint-Germain, had attained notoriety as Paris's unofficial duelling park. Montboucher argued in 1608 for its transformation into a permanent arena under the control of a captain.⁵⁷ Richelieu's lament that 'duels have become so common, so ordinary in France that the streets themselves served as fields of combat' is supported by the figures which suggest that in the first half of the seventeenth century duellers were twice as likely to stay within the city or just outside its walls than to head further afield.⁵⁸

Montmorency-Bouteville's execution in 1627 has been seen as the seminal event in the royal crackdown on duelling and by implication Richelieu's mastery over the aristocracy. One reason for his death in the face of intense lobbying for mercy was the manner in which he flouted royal authority by fighting three against three in the Place Royale. He was asked at his trial 'if the place had not been chosen to show how much scorn he had for the law and the king's edicts.' The judge wondered why he had not chosen the neighbouring Minimes or rue Saint-Antoine, suggesting that the clamour for clemency in his case might have been heeded if he had fought elsewhere.⁵⁹ But if Bouteville's execution pushed duelling underground for a brief while it re-emerged into the public sphere dramatically the following year in a duel fought on horseback with pistols by marshal Meilleraye, the cardinal's favourite cousin, during the siege of la Rochelle in full view of the opposing armies.⁶⁰ The obligation for public redress of honour was too dominant to be modified by edict and the Place Royale was soon back in use as

⁵⁵ AN JJ 265 fo. 170, Aug. 1567.

⁵⁶ AD Haut-Garonne, 1 J 418, Dec 1615. For the later period: Hanlon, 'Les Rituels de l'agression'.

⁵⁷ Billacois, *Le Duel*, 103.

⁵⁸ Ibid. 101–2, thus contradicting his own arguments. Manuscript evidence suggest that this is an underestimate, as well as cases cited above and below: AN X2b 1186, 10 Dec. 1624 (rue Vieille du Temple); 1189, 20 Mar. 1626 (Pré aux Clercs); 1223, 14 Feb. 1645 (behind the Chartreux); 1225, 18 Apr. 1646 (porte Saint-Michel) and 21 Apr. 1646 (rue Saint-André).

⁵⁹ AN X2b 1191, 1 June 1627.

⁶⁰ Maréchal de Bassompierre, 'Mémoires', Michaud and Poujoulat, 2 ser., vi. 277.

a backdrop for the adjudication of quarrels.⁶¹ In an edict of 1637 the Parlement of Paris complained that the 'streets of this city are made to serve as a bloody theatre'.⁶² Richelieu was not long dead when two notable duels took place in the Place Royale: in June 1643 Montbrun and Villandry fought on horseback; and in December the duc de Guise, who was wounded in the back and in the buttocks, wounded Maurice de Coligny who died six months later following a botched amputation.⁶³ These contests were fought beneath the freshly installed statue of Louis XIII 'the Just'.

HUMILIATION AND DEATH

Scorn of death distinguished the noble from the commoner. By avoiding the ignominy of a hideous death from illness and infirmity any gentlemen could aspire through vindictory violence to a triumphant or glorious end. A glorious death had a pedagogic function, establishing reputation and serving as an example to his descendants. Bayard's final moments represented in print the superior values of the Christian warrior facing death with fortitude, liberated from the corrupt world of men, his last moments spent in redemptive contemplation.⁶⁴ Whereas one could prepare for death on a campaign or before a battle, the victims of vindictory violence had no such solace. Cold-blooded revenge differed in many respects from the duel. Death by assassination was ignoble, 'a death without glory, because the victim suffers death instead of mastering his own exit'.⁶⁵ Blood revenge ruled out mercy—Baptiste de Castellane brought a barber surgeon with him to ensure that his victim was dead—while duelling was principally concerned to satisfy honour.⁶⁶ Nevertheless, the opportunity to deprive the victim of the comforts of faith, humiliate, or even mutilate him was sometimes too tempting to pass over. To the victor went the spoils of war; his victim's body became a trophy to parade and which proclaimed his victory; piling indignities upon his corpse was tantamount to killing twice over, taking the life and stealing its nobility. The charity expected of the good Christian towards the defenceless and the dying was in this way opposed to the psychology of the warrior. Bouteville, who fought eighteen duels in thirteen years, consciously highlighted this contrast, preferring to fight on Sundays and sacred days, like Ascension and Easter—a sort of blasphemy of the calendar.⁶⁷ While codifiers of the duel demanded courtesy and at least paid

⁶¹ For example: BN MS Fr 21811 9°, 19 Feb. 1633; *Mercur*, xvi. 832.

⁶² Cuenin, *Le Duel sous l'Ancien Régime*, 103.

⁶³ Ibid. 131; Tallement des Réaux, v. 212.

⁶⁴ S. Champier, *Les Gestes ensemble de la vie de preux Chevalier Bayard*, ed. D. Crouzet (Paris: Imprimerie Nationale, 1992), 41–3.

⁶⁵ C. Cagnat, *La Mort classique: écrire la mort dans la littérature française en prose de la seconde moitié du XVII^e siècle* (Paris: Champion, 1995), 322.

⁶⁶ Remacle, 'Une vendetta provençale'—part 1, 788.

⁶⁷ Germa-Romann, *Du bel mourir*, 200.

lip-service to the virtues of clemency, killing an opponent was often as important as securing satisfaction for a damaged reputation. Brantôme agreed that generosity should be displayed only after victory: no man should ever 'concede any point of courtesy to his enemy while he has his arms in his hand, until one sees him below one and at one's feet'.⁶⁸

Even when he was at one's feet it was usually more practical to finish off one's opponent. But the attitude of the victor to his defeated foe was not conditioned by practicalities alone. Humiliation of a defeated enemy is the warrior's right. Achilles' attitude to his victims after the death of his friend Patroclus provides us with a valuable insight into the psychology of revenge. Lycaon begs for his life, recalling Achilles' reputation for clemency and reminding him that he is only Hector's half-brother; not only does Achilles refuse his offer of ransom but he wishes to humiliate him in death, denying him the proper rites by flinging his body in a river: 'There—lie there! Make your bed with the fishes now, they'll dress your wound and lick it clean of blood—so much for your last rites! Nor will your mother lay your corpse on a bier and mourn her darling son.'⁶⁹ The relationship between combatants in early modern France was determined by the competition between the thirst for atavistic satisfaction and its antithesis, Christian compassion. Chivalry was in short supply on the battlefield during the Wars of Religion and pity an even rarer commodity in acts of vindictory violence at all times. Even pardon tales, composed to show the holder in the best possible light, reveal glimpses of inhuman rage: Gilles Doré admitted running his opponent through while he was down and then 'being frightened and agitated without thinking of it trampled on the legs of Chauveron who was on the ground', and we can be sure the truth was more brutal.⁷⁰ Jean le Maréchal confessed that his duelling opponent had gone down but 'nevertheless the supplicant driven by extreme anger' hit him on the head.⁷¹ Judicial investigations found similar sorts of behaviour. Several witnesses saw Antoine de Boulainvilliers kill Claude de Dion, president of the Parlement of Paris, in cold blood; the latter, having been knocked down, was heard to have threatened rather foolishly that 'he had done wrong to wound him and that it would cost him his life'.⁷² The killing of another magistrate, Louis de Croisy, in 1636 was more didactic; he was stopped by factotums of Charles de Pommereul armed with carbines, but rather than shooting him they dismounted and beat him to death, signifying either a punishment beating gone wrong or a deliberate warning to the rest of the Croisy clan.⁷³

To force someone to beg for their life was a humiliation which, as Brantôme pointed out, one could brag about and would embarrass the victim at a later date. The sieur de Boisbéranger begged his assailants not to kill him, but this was

⁶⁸ Quoted in Anglo, *Martial Arts*, 35.

⁶⁹ *The Iliad*, trans. R. Fagles (London: Penguin, 1990), 524.

⁷⁰ AN JJ 261/2 fo. 143, May 1552.

⁷¹ AN JJ 262 fo. 100^v, July 1553.

⁷² AN X2b 1175, 22 May 1579.

⁷³ His brother was also later a target: AN X2b 1214, 16 Apr. 1641.

insufficient and, according to the testimony of Jean Colet, a sword was pushed into his kidneys and he was told to 'ask for his life'.⁷⁴ Montaigne actively encouraged humiliation as an act of revenge that would be bloodless. Eschewing the arguments of Christian morality in favour of an appeal to aristocratic honour he proposes the recipient of clemency acts as living trophy to the victor's honour. Such notions had long been part of chivalric culture. In a fight between Podanges and Montbec in the county of Foix, the former was knocked off his horse and at the mercy of the latter who demanded his submission: 'Knaves, recognize me as master . . . I demand confession on the assurance of [your] nobility.' According to his letters of remission, Podanges did not concede and was left for dead. Podanges had his revenge on Montbec in early 1459 and said words, which 'he could not recall', in the ear of the dying man in imitation of their previous encounter.⁷⁵ He enjoyed his moment of victory before being killed in turn by Montbec's brother in September 1466.⁷⁶ Clemency had practical applications. The baron de Montchenu hunted down and killed the chevalier de Veone and his gang, who had been responsible for an attack on him in 1590, except for a butcher who was spared: 'You shall be witness to the affront that they did to me and of the punishment that they have received.'⁷⁷

Others, such as the chevalier d'Andrieux, who had reputedly killed seventy-two men in duels, derived pleasure from seeing their victim's abasement. According to Tallement des Réaux, occasionally he made his opponents deny God as a condition of life and then cut their throats 'for pleasure', as he put it, 'killing them in body and soul'.⁷⁸ Humour was another means of underscoring one's domination. The difference between shame and humiliation is that the latter deflates pretension: 'shame involves tragic justice, humiliation comic justice.'⁷⁹ Jean Rigaud and his men, dressed in mail coats, surprised and shot the baron d'Engaravagues in his house, dressed only in a shirt, and struck him sword blows to the face, thighs, and stomach. Rigaud confessed in his pardon tale that on leaving he had told the chambermaid, 'go and tell your mistress that I have just brought a clean shirt to the seigneur d'Engaravagues.'⁸⁰ This was a play on the proverb 'Porter quelqu'un une chemise blanche'—to rouse someone with a vengeance. Forcing someone to beg for their lives could be counter-productive.⁸¹ In 1690 Roger du Bosc lost a duel and had a sword put to his throat: 'cousin, your life depends only on me, you must confess it!' Bosc was granted his life but, though his cousin was wise enough not to return his sword he did not count on the pistol in its saddle holster—as soon as he had remounted Bosc wiped away the stain of humiliation with a single shot.⁸²

A glorious death is crowned by edifying last dying words. The words uttered by victims of vindictory violence are shorn of such conventions, telling us more

⁷⁴ AN X2b 1180, 15 Nov. 1610.

⁷⁶ AN JJ 194 fo. 150^v, Mar. 1467.

⁷⁸ Tallement des Réaux, vii. 299.

⁸⁰ AN JJ 262 fo. 245^v, Aug. 1553.

⁸² Floquet, ii. 494.

⁷⁵ AN JJ 198 fo. 25^v, Dec. 1461.

⁷⁷ Piémont, *Mémoires*, 269.

⁷⁹ Miller, *Humiliation*, 137.

⁸¹ AN JJ 266 fo. 72^v, May. 1568.

about the relationship between killer and victim. Few were able to imitate the martyrdom of Henri de Guise who transcended the moment of his death under the assassin's dagger, forgiving his murderers and begging his son to be a good Christian and faithful servant to the king.⁸³ After Jean de Podanges took his revenge on Montbec, the latter simply replied 'yes' when asked in a matter of fact way if he was dead.⁸⁴ Pierre de Lenoncourt could only utter 'I am dead—confession' before being carried away to his deathbed, following a duel.⁸⁵ In this respect, victims of assassination in churches were fortunate: Louis de Barlier had time to confess, pardon his killers, and receive extreme unction before expiring in the church of Barbuise at Pentecost 1553.⁸⁶ While the last dying words of the assassinated were a staple of printed propaganda of the era of the religious wars, in documentary evidence traditional Christian sentiments are rarely recorded. A witness recalled the piteous scene of the last moments of the comte de Belin, shouting 'Jesus, Maria' as his valet broke down in tears.⁸⁷ Whether this represents a calculated appeal to the Counter-Reformation sensibilities of the magistracy is moot. A century earlier a public exchange between the victim and his killer, shorn of Christian sentiment, reprises the verbal duel at the moment of death. Bertrand Darbieu raged in a street in Lectoure, 'Ah! Wicked man, you have killed me by treachery!', to which Geoffroy Durban vindicated himself, 'You liar! You brought it on yourself.'⁸⁸ Despite the efforts of the Counter-Reformation, continuing noble resistance to an exemplary Christian 'good death' can be seen from the record made by a (Jansenist?) parish priest in Lorraine who, present at the death of a dueller in 1701, refused to hear his confession or administer extreme unction 'because he had no understanding at all [of his sins] and gave no sign of grief or contrition'.⁸⁹

HUMILIATION AND DESECRATION

In 1464 Pierre de Louvain's body was savagely hacked, his throat cut, and his eyes put out. While the throat cutting was interpreted as just revenge—Louvain had used the same method fifteen years previously—the gratuitous mutilation of his body *post mortem* was perceived as inhuman. The rules of rough equivalence which governed feuding exchanges had been abandoned; the hatred between the families had become uncontrollable.⁹⁰ In warrior cultures humiliation and bodily mutilation are closely linked. Achilles' vengeance was not complete until he had publicly

⁸³ Germa-Romann, *Du bel mourir*, 223.

⁸⁵ AN JJ 255/1 fo. 39, 1541.

⁸⁷ AN X2b 1220, 22 Feb. 1644, testimony of Marguerite de la Font.

⁸⁸ AN JJ 246 fo. 49^v, Mar. 1532.

⁸⁹ Godins de Souhesmes, *Étude sur la criminalité*, 123.

⁹⁰ C. Gauvard, 'Entre justice et vengeance: le meurtre de Guillaume de Flavy et l'honneur des nobles dans le royaume de France au milieu du XV^e siècle', in J. Paviot et J. Verger (eds.), *Guerre, pouvoir et noblesse au Moyen Âge: mélanges en l'honneur de Pierre Contamine* (Paris: Presses de l'Université Paris-Sorbonne, 2000).

⁸⁴ AN JJ 198 fo. 25^v, Dec. 1461.

⁸⁶ Haton, *Mémoires*, i. 1–2.

shamed Hector's corpse, dragging it behind a chariot and leaving it for carrion. The comic-grotesque was integral to the process of humiliation: 'not a man came forward who did not stab his body, glancing toward a comrade, laughing: Ah look here—how much softer he is to handle now, this Hector.'⁹¹ During the Middle Ages the spectacle of bodily mutilation and humiliation had been largely incorporated into the panoply of official torture and execution. The body of the heinous criminal was dragged through the streets and his body desecrated in front of a large crowd, and the spectacle memorialized by exposing the body, or parts thereof, in prominent public places. Punishment was not only applied to the bodies of the living, the dead were also tried and their bodies dismembered and displayed. Corpse desecration and mutilation are more commonly associated with the rites of popular violence during the Wars of Religion. Catholic violence, in particular, drew on a set of legitimizing rites and rituals, drawn from popular festivities, liturgical practices, official executions, and folk justice, to purify the community of heresy.⁹² The display of lacerated corpses was a feature of religious riots and of the Massacre of Saint Bartholomew in particular, where the bodies of Protestant magnates Soubise, Caumont la Force father and son, and la Rochefoucauld were put on public view in the rue Saint-Honoré.⁹³ Anthropologists suggest that what unites humiliators divided by time and space 'is that the humanity of their victims is a pretence', an arrogant and presumptuous folly. Humiliation is part of the process of dehumanizing a victim, of forgetting that the victim is a human being.⁹⁴

In a hierarchical society, such as early modern France, those who had greater pride and honour had a greater fear of ridicule. Rituals of humiliation were therefore as common in acts of vindictory violence as in the religious riot but, whereas the rioters sought legitimization with reference to official and folk culture or by invoking the will of God, the rites of revenge had the purpose of treating the victim like a trophy whose abasement would publicize the triumph of the victor. Learning how to kill in cold blood was a rite of passage in a warrior culture. Jean de Nettancourt (d. 1642) handed over prisoners to his 10-year-old son to kill 'to accustom him early to blood and carnage'.⁹⁵ Excessive violence was part and parcel of faction politics during the Wars of Religion. When the royal favourite Saint-Mégrin was assassinated by agents of the Guise in 1578 he was attacked by up to thirty men and his body savagely hacked.⁹⁶ The true extent of mutilation is hidden by the nature of the sources. Pardon tales, in particular, cover up as much as they reveal. However, where stories were at odds with the evidence and had to be revised instances of excessive force were often revealed. After his rearrest and transfer to the conciergerie in Paris, Charles Daugizolles, in addition to severing Pierre de Rochechouart's left hand, upped the number of blows he gave his victim

⁹¹ *The Iliad*, 552–4.

⁹² N. Davis, 'The rites of violence', in *Society and Culture in Early Modern France* (Cambridge: Polity, 1975).

⁹³ Germa-Romann, *Du bel mourir*, 236.

⁹⁴ Miller, *Humiliation*, 165; Davis, 'The rites of violence', 181.

⁹⁵ Tallement des Réaux, i. 232.

⁹⁶ Le Roux, *La faveur du roi*, 405.

to twenty-six or twenty-seven.⁹⁷ The grotesque comedy of humiliation was also unmasked. In his rewritten pardon tale of 1556 Guillaume de Montdoulcet admitted running his man through three or four times while he was down saying, 'By God's blood you are dead but you shall have some more of this, even though you're scarcely worth the effort.'⁹⁸ Sometimes a more chilling truth emerges. In his first pardon tale François du Reynier denied wounding Jean de Launay but this was untrue: 'they had scalded his left leg from below the knee to the ankle with burning straw, saying . . . that rather than killing him it would get him up.'⁹⁹

Often we are looking at banal instances of excessive force applied in the heat of battle. In a duel this might have meant failing to uphold the rules of the game. The baron de Vitteaux was run through four times by Alègre without any courtesy while prone.¹⁰⁰ Jacques Galiot's attitude was even crueller; he ignored the cries of mercy from his disarmed opponent and repeatedly stabbed him in the body with his dagger.¹⁰¹ But there is no doubt that many of these actions were driven by blood lust. A remonstrance to the chancellor in the 1650s told that the corpse of the sieur de la Rouzière was subjected to repeated sword thrusts 'to satisfy [his opponent's] rage'.¹⁰² For evidence that multiple wounds resulted less from the heat of battle than calculated hubristic rage we need look no further than the surgeon's report of 14 June 1639 conducted on the corpse of Pierre Dangery, doctor of law:

First, a sword thrust wound as long as a finger-width [*un travers de doigt*, i.e. 10 mm] and as wide as half a finger-width, penetrating through the heart to the vertebra.

Another wound on the right nipple as long as a finger-width and as wide as the above made by the width of a sword passing through the lung.

Another wound on the right side on the fifth rib as long as a finger-width and as wide as half a finger-width, stopped by the rib [from penetrating], but which cracked it.

Another wound also made by a sword thrust, the entry point of which is on the right rear shoulder blade, as long as six finger-widths and as wide as one, and the exit point, passing the auxiliary vein below the right fork, is as long as a finger-width and about as wide as half a finger.

Another wound made by a sword thrust from behind of a triangular shape entering into the vitals of the body, passing between the apophysis of the vertebra straight through to the left hand-side to the diaphragm.

Another wound, a slash cut on the back as long as six finger-widths and as wide as three, cutting the right lumbar muscle.

Another wound, a glaive slash below the right clavicle on the cartilage joining the ribs to the sternum as long as six finger-widths and as wide as four.

Another sword thrust wound between the second and third rib on the left side, penetrating the diaphragm.¹⁰³

The surgeon thought that the first wound alone would have been enough to cause death. The report supported the widow's contention that Dangery was brutally

⁹⁷ AN JJ 266 fo. 82^v, June 1568. ⁹⁸ AN JJ 261/1 fo. 280, July 1556.

⁹⁹ AN JJ 263/1 fo. 101^v Mar. 1556. ¹⁰⁰ Vaissière, *Les d'Alègre*, 191.

¹⁰¹ AN X2b 1181, 28 Mar. 1612. See also: AN X2b 1189, 25 May 1626.

¹⁰² BN MS Fr 17345 fo. 104. ¹⁰³ AD Haute-Garonne BPS 1577.

struck down in cold blood. We should not overplay the symbolic significance of these eight blows, only note that the corpse fared better than many—the sieur de Caillotièr's body suffered fifty to sixty sword thrusts.¹⁰⁴ Many of these wounds would have been inflicted after death. 'What was found so bad', writes Pontchartrain about the killing of the baron de Nevet in 1616, 'is that the majority of his wounds were given by blows from the sieur de Guémadec's men.'¹⁰⁵ There may have been legal reasons for this: it made it difficult to identify the main culprit, but more likely is the sense of group solidarity engendered by the pursuit of the victim and, like Achilles' men, a wish to share the moment of triumph. In 1568 Chrétien de Gommer's father had been murdered in front of him by the abbot of Orbais; the corpse had been horribly mutilated, the throat having been cut and the eyes put out, and the abbot joked that 'if anyone wished to purchase the skin of [this] beast he would give them a good price'. Ten days later the abbot held a victory revel in which fires were lit, 'as a sign of trophy', and he and his men danced around them with red hats with cockfeather plumes 'in derision of the homicide and of [Gommer's] lineage'. Fourteen years later Gommer's kindred, numbering sixteen to eighteen men, had their revenge in a well-planned attack that succeeded in trapping their victim in a house. Chrétien entered first with his brother and brother-in-law to kill the abbot, thereafter their relatives filed in to stab the corpse, 'and I heard that several walked on the corpse, trampling it with their feet'. L'Estoile reckoned that the abbot had received one hundred pistol and dagger wounds.¹⁰⁶

Elite violence shared some of the characteristics of Catholic riots, where heretics thought unworthy of Christian burial were purified by being dumped into rivers or subjected to mock executions. Though they rejected Catholic rituals, Protestant noblemen shared the same warrior ethos as their enemies. In 1591 Gabriel de Foucauld seigneur de Saint-Germain-de-Beaupré, the most important Protestant captain in the Marche, stormed the château at Mas-Laurens, held by the Catholic League, and put to death the entire garrison in revenge for the death of his father the previous year. The body of his father's killer was nailed to the pillory of Saint-Germain-de-Beaupré and his severed head served as 'a reminder and witness to the revenge'.¹⁰⁷ In 1629 the lackeys of the Huguenot marquis d'Arcy appropriated the symbols of religious riot, first beating up a bailiff from Le Mans, 'then placing a white linen cloth around his neck in the form of a surplice, worshipping him, and asking him if he would not pardon them, before cutting off his hair and moustache, and making of the sergeant a martyr'.¹⁰⁸ The dumping of corpses at the public scaffold by revengers was a mockery of the failure of official

¹⁰⁴ Floquet, ii. 447.

¹⁰⁵ 'Mémoires', Michaud and Poujoulat, 1 ser., xvii. 374.

¹⁰⁶ ADSM G 3503, 17 May 1583; L'Estoile, *Registre-journal*, ii. 125–6.

¹⁰⁷ BM Poitiers, MS Fontanieu, xxxi, fo. 511'.

¹⁰⁸ Jean Louvet, 'Journal ou récit véritable de tout ce qui est advenu digne de mémoire en la ville d'Angers, pays d'Anjou et autres lieux', *Revue de l'Anjou et de Maine et Loire*, 3–5 (1854–6), 29 Jan. 1629.

justice and a claim to legitimacy, and an insult.¹⁰⁹ While body dumping in religious riots rid the community of heretical pollution and denied the victim spiritual solace, in noble culture it had no confessional impulse; it is found before the religious wars and signified a desire to humiliate and triumph over the victim in death as well as in life.¹¹⁰ Not only was the victim cheated of a 'good death' and the respect he was due, at the very least the collective rites of grieving were disrupted. On occasion the kindred had no corpse to bury altogether, depriving the dead man of a final resting place and a sepulchre around which the customary family devotions were performed.¹¹¹

Bodies that were dumped might also be stripped. This was in part simple corpse robbing. Guillaume de Livet, attacked by a dozen men in September 1589, was stripped of his sword, jewellery, shoes, and other belongings.¹¹² At other times, fingers were cut off to get rings.¹¹³ In this way a revenge attack could be covered up as highway robbery.¹¹⁴ Corpse stripping also further besmirched the dignity of the victim and affronted his kindred. The eighty men who attacked Antoine de la Chabrolie on 19 May 1574 left him lying naked in the road like abandoned booty.¹¹⁵ The body was a trophy on which the victor's triumph was inscribed. Jacques Jousseume made good his promise, 'that he would have his body and the devil his soul', when he arrived outside Hector Rousseau's house. Rousseau's corpse had a spear thrust into his mouth, the clothes were stripped off and displayed like a 'wolfskin', and his shoes removed to inspect an old wound inflicted by the murderer's cousin—the naked corpse was left unclaimed for two days.¹¹⁶ Naked, mutilated bodies made identification harder for the officers of justice but also had a more didactic function: neighbours of the widow of sergeant Guillaume de Chandeleur refused to help her move his corpse because of the fear they had for his killers.¹¹⁷ In an act reminiscent of popular religious riots, François des Feugerets, a Percheron Protestant, 'was stripped of his clothes and his bloody corpse dragged to his manor and exposed to the eyes of his widow'.¹¹⁸

Souvenir hunting is an aspect of warrior culture that has survived into the modern era and was also a feature of vindictory violence in Renaissance France. Booty might be shared out among one's men.¹¹⁹ But this cannot account for Baptiste de Castellane's removing of the hat of his dead victim.¹²⁰ Charles de Pommereul's interrogation by the Parlement of Paris in 1641 provides some clues to this behaviour. Having beaten the president of the *présidial* court of Évreux to death, he retired to his fastness in the pays d'Ouche (Lower Normandy) where 'he had

¹⁰⁹ AN X2b 1178, 6 July 1601.

¹¹⁰ Remacle, 'Une vendetta provençale'—part 2, p. 207; Médicis, *Mémoires*, 548; AN JJ 227 fo. 12^v, Nov. 1495.

¹¹² AD Seine-Maritime 1B 3215, 26 Sept. 1589.

¹¹⁴ BN NA Fr 2170 fo. 372, June 1654.

¹¹⁵ AD Corrèze E B4 fo. 212, 19 May 1574. See also AN X2a 87, 11 Mar. 1536.

¹¹⁶ Guérin, 'Recueil des documents', pp. xxiv–xxvi.

¹¹⁸ L. Fret, *Antiquités et chroniques percheronnes*, 2 vols. (Mortagne, 1838–40), i. 614–15.

¹¹⁹ AN X2b 1179, 19 Apr. 1602.

¹²⁰ Remacle, 'Une vendetta provençale'—part 1, 787.

¹¹¹ Germa-Romann, *Du bel mourir*, 238.

¹¹³ AN X2b 1269, 22 Jan. 1666.

¹¹⁷ Gouberville, *Journal*, ii. 443.

placed a judge's cap on a staff in his hall close to his table and another staff beside it, saying here's the president and how he was treated'.¹²¹ Trophies could be posted as a warning to others. The lackeys of the marquis d'Arcy dressed up and shaved their victim, dragged him to the door of the village church, tore off his royal insignia; then, like a scalp, they mounted his moustache at the gateway to their master's residence.

Tomb desecration, a feature of popular anti-aristocratic violence during the Revolution, does not seem to have outlasted the sixteenth century among the elite. Its practice was perhaps a parody of the judicial pursuit of corpses, which could have bizarre consequences. In 1571 the curator of the body of Julien le Bret appealed against the sentence of the *présidial* of Angers to the Parlement of Paris. In the interim the corpse was buried without ceremony only to be disinterred several months later 'and dragged round on a hurdle all stinking and infected to the pillory where its head was cut off with a carpenter's axe'.¹²² Graves were targets in precedence disputes as well as religious riots, for feuds might target not only an individual's body but also desecrate his memory and the site around which his kinsmen performed their collective devotions. In 1562, in revenge for the arrest of a number of Protestant ministers, the baron des Adrets sacked the château of the Apchon family at Montmorand, disinterred the body of Artaud V from the family vault, and dragged it around the adjoining fields.¹²³ 'The body of Calvinist captain [Poncenac] was exhumed after the battle of [Cognat] and given several stab wounds. And [the soldiery] bestowed upon these bloody remains barbarous indignities. They wished to drag them around and subject [them] to every form of mockery.'¹²⁴ One of these forms of mockery was undoubtedly the ghoulish practice of feeding corpses to animals. Jean de Tournemire was accused of exhuming the corpse of Claude d'Anjony, a priest, whom he had killed six weeks earlier, and depositing it at night at the gates of the château d'Anjony, where it was gnawed by dogs and wild animals before being discovered the next day.¹²⁵ This was a particularly nasty and protracted feud, but the incident was not an isolated one. Georgette Fourchière complained to the Parlement of Paris that she had lost a hand during the attack which left her husband dead, and that the killers 'had taken [her] hand and fed it to the dogs in their presence', a claim that was easy to verify.¹²⁶ As late as 1641 the judges of the Parlement interrogated the seneschal of the Basse-Marche over allegations that, among other things, he had murdered two inhabitants of Bellac, dragged their bodies around town, and fed their entrails to his dogs—these victims were however 'mere' peasants.¹²⁷ Unlike other warrior cultures ritual cannibalism was off the menu, though there were reports of it in Catholic riots during the Wars of Religion. In the age of the religious wars the symbolism of cannibalistic

¹²¹ AN X2b 1214, 16 Apr. 1641.

¹²² Louvet, 'Journal', July 1571.

¹²³ Comte de Beauchesne, *Le Château de Roche-Talbot et ses seigneurs* (Mamers, 1891), 207.

¹²⁴ H. Imberdis, *Histoire des guerres de religion en Auvergne* (Moulins, 1840), 130.

¹²⁵ Grand, *Anjony*, 103.

¹²⁶ She was represented by a lawyer: AN X2a 39, 1 Aug. 1473.

¹²⁷ AN X2b 1213, 7 Jan. 1641. See also AN X2a 1398, 8 Aug. 1597.

ritual had immense force for, as Frank Lestringant explains, the breaking of this fundamental taboo was the very cynosure of the world turned upside down, unfailingly bringing with it God's wrath.¹²⁸ In Renaissance noble culture it survived solely as a metaphor: Jacques Jousseau ordered Hector Rousseau's daughter out of her father's house otherwise 'he'd feed her father's heart to her'.¹²⁹

CONCLUSION

Achilles too flirted with cannibalism. Grief is the emotion that undoes Achilles' character and causes him to lose his compassion for other human beings. Before the death of his beloved Patroclus he had been a man of honour whose practice was to take prisoners and ransom them. His grief is rapidly transformed into indignant rage and killing and mutilation becomes therapeutic. For the French nobles who dishonoured and desecrated their victims in the same way, spilling blood in such an unrestrained fashion may also have performed the function of temporarily bringing the dead back to life.¹³⁰ A distinction should be made between acts committed in the heat of battle and the clinical desecration of corpses. Duels were, in theory, honourable exchanges not to be fought in hot anger, but even where protagonists were keen to uphold the ideal, once first blood was drawn a berserk rage could take hold. Lignerac and la Garde began as men of honour, smiling and embracing each other, but after first blood it became a furious combat in which Lignerac stabbed his man with a dagger fourteen times in the torso, after each blow demanding that la Garde ask for mercy. Battle trauma may been responsible: Lignerac had lost half of his chin and half of his teeth.¹³¹

Chivalrous warfare, like its Greek counterpart, held that an enemy of status was worthy of respect and honour and that valour was diminished by contempt. The dehumanization and disrespect for the enemy has biblical roots, especially in the Old Testament. The idea that God's enemies should be exterminated like vermin had a particular resonance during the religious upheavals of the sixteenth century, legitimizing confessional violence as divine justice. The immanent religious violence of sixteenth-century France has echoes of the godlike rage of Achilles. Histories of Troy were popular in the Middle Ages and pictures of Achilles' unchivalrous behaviour adorned the illuminated manuscripts which, from the 1470s, provided the raw material for the earliest secular books printed in France.¹³²

¹²⁸ F. Lestringant, 'Catholiques et cannibals: le thème du cannibalisme dans le discours protestant au temps des guerres de religion', in J.-C. Margolin and R. Sauzet (eds.), *Pratiques & discours alimentaires à la renaissance* (Paris: Maisonneuve & Larose, 1982).

¹²⁹ Guerin, 'Recueil des documents', p. xxiv.

¹³⁰ J. Shay, *Achilles in Vietnam: Combat Trauma and the Undoing of Character* (New York: Atheneum, 1994), 89.

¹³¹ Audgiuier, *Le Vray et ancien usage des duels*, 482–3.

¹³² Jacques Millet, *La Destruction de troye la grant* (Lyon, 1491); Raoul le Fevre, *Cy commence le volume intitule le recueil des histoires de troyes* (Bruges, 1476).

François I was an avid reader of them and had the galleries of Fontainebleau adorned with Homeric scenes. In general, these books were caricatures, owing more to the medieval chivalric romance than to Greek tragedy. Hector's end is chivalrous rather than Homeric; he dies in battle and the Greeks retire as a mark of respect so that his body can be buried. A return to a more faithful image came in 1530 with the first printed prose translation from the Latin followed some decades later by a verse translation from the Greek.¹³³ The remarkable springtime of French Hellenism made Achilles a rather different model of virtue and a rival to the more traditional heroes of chivalry. In more conventional circles, however, the theme of vengeance in French Renaissance literature continued to adopt a moralizing tone largely derived from Seneca.¹³⁴

By the beginning of the seventeenth century figures like Aeneas and Achilles were providing a counterweight to Stoic and Christian models of virtue, legitimizing vengeance in general and duelling in particular. A new audience was introduced to the heroic personal combats of the *Aeneid* and the *Iliad* by the storm over duelling and the plethora of publications it spawned. The classical heritage of duelling was much in vogue and the chevalier de Guise was lauded by poets and tragedians as a new Achilles. François Rosset memorialized his exploits in a pastiche of the *Iliad*, the *Histoires tragiques*, that went through numerous editions from 1615. A Guisard, Rosset was deflecting demands for the implementation of the laws against the duel from the Guise's many enemies. It was a resounding success and enabled the Guise to exploit the glory and squeeze concessions from the embattled regent. His was not the only contemporary allusion to the new Achilles.¹³⁵ Rosset and his imitators had enormous implications for the vindication of honour through violence because they marshalled classical precedent to establish the principle of just vengeance: they even embroidered their own myths: 'Never did the Greeks and Romans and all the nations of the universe leave us an event as notable as this . . . the altars of Mars, god of war, as it seemed smoked with so many sacrifices, and crossing the skies he came to collect in two gold vases every last drop of blood of the chevalier de Guise and the baron du Lux.'¹³⁶ This nascent counter-cultural movement in opposition to the stoic and Christian moral tradition found its most controversial voice in Corneille's *Cid*, which argued that 'For righteous vengeance there's no punishment.'¹³⁷ The play's great popularity suggests that many Frenchmen agreed. Richelieu was passionately interested in the theatre as a vehicle for the promotion of good order and in private he did not conceal his dislike for the play. Nonetheless an outright attack on such a popular piece would have been counter-productive and so he pressured the

¹³³ J. Samxon, *Les Iliades de Homere* (Paris, 1530).

¹³⁴ E. Forsyth, *La tragédie française de Jodelle à Corneille (1553–1640): la thème de la vengeance* (Paris: Champion, 1994), 100–7 *passim*.

¹³⁵ It is significant that his absurd death—a cannon blew up in his face—is passed over by moralists, even Tallement des Réaux: Cuenin, *Le Duel sous l'Ancien Régime*, 54.

¹³⁶ *Ibid.* 50–1.

¹³⁷ Act II, Scene viii.

Académie Française to censure the *Cid*; their judgement satisfied neither the cardinal nor the playwright.¹³⁸

This is not to suggest that vengeance in France was always godlike, transcending normative behaviour, or that the indignant rage that comes from intense grief is an ahistoric biological given unshaped by cultural templates. In Renaissance France the expectation was that revenge should be limited and reasonable. Grief and dishonour was generally satisfied without the catharsis of mutilation. There are even some rare examples of Christian forgiveness. As he lay dying the comte de Montafier, perhaps recalling his own bloody career (he had murdered the seigneur de Lignerolles in 1571), asked to see the body of his assassin and forgave him, 'for I know that you did it on the orders of others, [rather] than by your own volition'.¹³⁹

¹³⁸ D. Maland, *Culture and Society in Seventeenth-Century France* (London: Batsford, 1970), 109–11.

¹³⁹ Claretta, 'I signori', 230.

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PART II

VIOLENCE AND SOCIETY

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8

Justice and the Law

Gentlemen also have the privilege that when they happen to commit some crime they are not punished as rigorously as commoners.

(Loyseau, *Le Traité des ordres et simples dignités*)

Feuds did not come to an end when either of the disputing parties had recourse to law. The judicial system was not neutral, nor was the law free from the social and political constraints in which it operated. For those with the money the theatre of the legal process provided another arena for competition in which the court, the summons, and the writ afforded opportunities for impugning honour. Alexandre de La Roche writing in 1666 thought that 'the lawsuit is a form of war . . . which is accompanied by hatred, animosity, and by vengeance'.¹ Nevertheless, all observers agreed that the French were a litigious race: Normans loved lawsuits so much they were prepared to make hazardous sea voyages to Rouen; the Auvergnat was well known for endless pleas; the Poitevin launched a lawsuit on the 'foot of a fly or the point of a needle'.² For the elite litigation was a way of life that consumed money and imposed immense psychological burdens such that 'it is necessary to renounce the pleasures of the flesh and the spirit, no longer can one think . . . of the hunt, of walks, of visits, . . . of books nor of entertaining friends, the days and nights become too short because of this cursed paper war'.³ Rancour was the result. Léonor de Lameth barely concealed his delight that a dispute over four acres of wood had cost his enemy 2,000 *écus* 'for his pleasure'.⁴ For those at the lower end of the elite, desperate to keep up appearances, the lawsuit was probably more all-consuming and had greater import than for their peers who had factotums to take the strain and who enjoyed a greater variety of recreational activities.⁵

¹ La Roche, *L'Arbitre charitable*, 43.

² J. de Marcouville, *La Maniere de bien policer la Republique Chrestienne* (Paris, 1562), 91.

³ La Roche, *L'Arbitre charitable*, 48.

⁴ AN X2b 1192, 3 Mar. 1626.

⁵ René Desvaulx and Robert de Maillé quarrelled during mass about a lawsuit over 2 *livres* of rent which ended with Desvaulx giving Maillé the lie: AN X2b 1179, 16 Jan. 1602. See also: AN X2b 91, 17 Aug. 1576; 1176, 1 Mar. 1585; 1181, 2 Mar. 1611; 1198, 13 July 1632; 1212, 23 June 1640.

THE JURISDICTIONAL MAZE

So many feuds arose from civil litigation, and disputes spread so many parallel suits across different courts, that it would be unrealistic to split civil and criminal actions. On one hand, the slow pace of justice was a testament to the concern for the truth and the attentiveness of judges to procedure but, for those with the knowledge and resources, legal pettifogging was a means of escaping justice and destroying one's enemy. The case of Jean Lemaczon, the king's procurator in Angers, was notorious.⁶ On 5 January 1565 Lemaczon shot and killed René de Brie-Serrant and was immediately pursued by the victim's family, which, rich and well connected, had every expectation of success. Lemaczon was condemned to be beheaded but appealed to the Parlement of Paris, where he defended himself so skilfully that he spent the next thirty-six years frustrating his adversaries to such an extent that, despite an accord in 1588, they were ruined and finally forced to sell their château. One of the commonest ruses for impeding the due process of law was to launch a counter-suit in a rival or adjacent court, embroiling the original case in ever increasing levels of complexity and expense. Having lost a twenty-year-old lawsuit in 1620, Jacques Deffiez sought to forestall the payment of damages by obtaining a warrant for his enemy's arrest for illegal firearms possession—an offence to which the authorities usually turned a blind eye.⁷

The pace of justice was hampered by the multiplicity of agencies and the relative ease with which the defendant could appeal to a higher court or dispute the competence of a particular court or magistrate, thereby embroiling the plaintiff in complex technical issues of jurisdiction. Our period witnessed an expansion in the number of courts and officials. At the apex of the system was the Parlement of Paris whose jurisdiction covered one-third of the kingdom. There were five provincial Parlements in 1500 and nine in 1633. Following the edict of Villers-Cotterêts (1539), which suppressed intermediary appeals and increased the number of sentences open to appeal, they heard many more appeals from the lesser courts.⁸ Below the Parlements ranked the *bailliages* and seneschalsies (100 in 1614), royal courts which judged cases in the first instance and acted as appeal courts to the mosaic of 60,000–70,000 seigneurial and municipal courts.

The growth of judicial posts was driven by financial imperatives and under François I came the wholesale creation of new offices for cash: in 1522 a *procureur du roi* was established in each *bailliage* and seneschalsy and the following year he was joined by a *lieutenant criminel*. More significantly, the expanded powers of the provosts of the marshals, which had previously been confined to matters of military discipline, effectively created a police force, the *maréchaussée*, charged with

⁶ P. Brichet, *La Chapelle de Launay et les Lemaczon, 1493–1791* (Angers: Grassin, 1905).

⁷ AN X2b 1184, 11 July 1622.

⁸ For an introduction: B. Garnot, *Justice et société en France au XVI^e, XVII^e, XVIII^e siècles* (Paris: Ophrys, 2000).

maintaining the peace on the king's highway and punishing rural delinquency. The provost, under the jurisdiction of the court of the constable and marshals, was to tour his jurisdiction regularly, receive complaints, liaise with local authorities, pursue offenders, and hand them over to the appropriate judge.⁹ In most provinces a provost-general was supported in subaltern jurisdictions by lieutenants called *vice-baillis* or vice-seneschals each with a complement of archers. There were regional variations. Normandy, a large and populous province, had a complement of 100 archers divided among its seven *vice-baillis* in the seventeenth century. The *vice-bailli* of the Upper Auvergne was created in 1573 initially with ten archers, later raised to fifteen, covering 6,000 square kilometres of mountainous terrain and only nominally under the control of the provincial provost at Riom. A small province like the Vivarais had three provosts in 1581 and six in 1603 each with a complement of archers.¹⁰

When the crown wished to reform the judicial system it found it easier and more lucrative to add a whole new layer of administration than to amalgamate or abolish existing institutions. In 1552 Henri II established a system of intermediary courts, the *présidiaux* (of which there were sixty-five by the end of the century), which, in criminal matters, were to work closely with the officers of the *maréchaussée*. While in theory they were supposed to reduce the workload of the Parlements, the latter were reluctant to cede authority and continued to hear cases on appeal which should have been judged definitively by the *présidiaux*. The king's supreme judicial council, the Grand Conseil, and the privy council were increasingly called on to intervene and adjudicate, resulting in delay.

In 1554 the office of *lieutenant criminel de robe courte* with a force of archers was established in each *bailliage* and seneschalsy to supercede the *maréchaussée*, but financial necessity ensured the survival of both with the consequent squabbles between the officers, who fulfilled similar functions. The new creation was not popular and was suppressed by the Estates-General in 1560, but the desperate state of royal finances forced its resurrection in 1570. At the time of the great overhaul of the criminal code in 1670 their abolition was mooted once again, for as the attorney-general pointed out 'There are no misdemeanours to which they do not yield; they do no service for which they have no hope of reward. It is notorious that along with their clerks and assistants, they change and alter the minutes of investigations, interrogations and other criminal procedures.'¹¹ The survival of the office of *lieutenant de robe courte* is instructive of the priorities of the Ancien Régime judicial system.

⁹ Greenshields, *An Economy of Violence*, 50–1.

¹⁰ In Guyenne the provost-general was replaced in 1563 by three vice-seneschals. The suppression of the office in Normandy was never implemented and he operated alongside the *vice-bailli*, a system that seems to have been replicated in Poitou, Dauphiné, Provence, and Auvergne: P. Jubert, 'Vibaillis et grande prévôté générale de Normandie (1550–1660)', *Bulletin de la Société des Antiquaires de Normandie*, 55 (1961), 87–111; G. Zeller, *Les Institutions de la France au XVI^e siècle* (Paris: Presses Universitaires de France, 1948), 199–200.

¹¹ A. Allard, *Histoire de la justice criminelle au XVI^e siècle* (Paris, 1868), 85.

The small town of Provins illustrates the rivalries and confusion that arose from competing police forces. Legras, *lieutenant de robe courte*, and Carron, lieutenant of the *maréchaussée*, were parasites living off criminals who paid them in return for protection. Policing was not expected to get in the way of business, and when one of Legras's sources of income, a Huguenot nobleman, was beheaded at the behest of Carron he took revenge by arresting a notorious brigand and benefactor of Carron. At his execution in July 1571 the two officials and their archers squared up to each other and Legras was given the lie. The solemnity of the occasion and the large crowd obviated a violent response, so he took the matter to court.¹² This sort of behaviour had not been eradicated in the seventeenth century and in 1654 several people were killed in a shoot-out outside the *présidial* court in Poitiers between rival candidates for the office of provost-general of the *maréchaussée*.¹³ We should not be surprised at the behaviour of these men who shared the same aspirations as their peers in the sword nobility: the *vice-bailli* of Caen was murdered in 1605 at the behest of the local nobility and Charles d'Espagnac, vice-seneschal of the Angoumois, fought a duel with pistols and swords in February 1622.¹⁴

Complaints about the partiality of the provosts of the marshals in particular are legion, but the difficulties faced by this rudimentary police force were formidable: it was dangerous to investigate a dispute that the powerful considered to be a private affair. In 1567 the provost of Poitou initially refused an order from the Great Assizes of the Parlement of Paris sitting at Poitiers to arrest the seigneur de la Rabastière because of the violence he was accustomed to use against the officers of justice. When they eventually approached his residence one of their archers was killed and he evaded capture.¹⁵ In 1622 the provost of Loudun was surrounded by Urbain de Salles *chevalier* who told his men that none should escape alive.¹⁶ During periods of civil war the *maréchaussée's* visitations had to be curtailed, but even in peacetime it was a difficult job, especially during the seventeenth century when it was called upon to assist tax collection and break up smuggling rings. In February 1647 five archers of the *maréchaussée* were ambushed and killed in the Upper Auvergne by up to thirty men. One of the main suspects, the sieur de Senezergues, was interrogated but had to be released for lack of evidence, and his accomplices were never caught.¹⁷

It is anachronistic to expect of them a modern professional ethos; they were venal office-holders. In 1635 newly created offices of the seneschals of Rodez were sold at the following rates: vice-seneschal (16,000 *livres*), *lieutenant de robe courte* (5,000), and archer (750).¹⁸ It was easier and sometimes more popular to

¹² Haton, *Mémoires*, ii. 427–34.

¹³ AN X2b 1248, 3 Apr. 1659.

¹⁴ F. Alix, *Généalogie de la famille de la Rivière* (Caen: Jovan, 1911), 63; AN X2b 1184, 17 Mar. 1622.

¹⁵ Imbert, 'Les Grands Jours de Poitou', 96.

¹⁶ AN X2b 1185, 13 Mar. 1624.

¹⁷ AD Cantal, Fonds de Comblat, 11 Feb. 1647.

¹⁸ C. Blanquie, *Les Présidiaux de Richelieu: justice et venalité (1630–1642)* (Paris: Harmattan, 2000), 38.

pursue the socially marginal than the powerful and well connected who, though often indicted and judged *in absentia*, rarely faced the full force of the law. Despite its failings, the existence of a police force generated more accusations and more investigations and this nascent bureaucracy inevitably generated more knowledge at the centre (and for the historian) about local troublemakers and levels of violence. In the Upper Auvergne, the *vice-bailli* successfully monitored and dispersed illicit armed gatherings, and in June 1615, despite the intervention of a number of gentlemen, he even arrested a nobleman for illegal possession of a pistol and fined him 20 *livres* (although the practice of keeping confiscated weapons accounts in part for his zeal).¹⁹

The potential for conflict between rival institutions was great and it was relatively easy for a case to oscillate between rival jurisdictions, and for the wealthy to play off courts against each other through the appeals procedure. In the seneschalsy of Poitiers, which covered an extensive area, 'the accused can appeal to the Parlement of Paris as soon he is subpoenaed to appear or an arrest warrant is issued, without being obliged to constitute himself prisoner, which means that all criminal cases grind to a halt, and that eventually crimes go unpunished'.²⁰ If a first appeal did not achieve a satisfactory outcome this did not preclude subsequent attempts: in 1582 Jean de Barro appealed against the death sentence of the *présidial* of Tours and the Parlement sent him for trial at the seneschalsy of Saumur, but when after six months the judges there proved to be of the 'counsel' and 'devotion' of his adversary he successfully got the case moved to Angers.²¹ The Parlements, in particular, were sensitive to any attempt to undermine their rights and prerogatives. In 1643 one of the intendants of Normandy lamented the oppressive interference by the Parlement of Rouen in the affairs of the *présidial* of Caen, such that 'there is no justice at all only duels, murders and abductions... it is almost impossible to arrest any guilty party'.²²

The commonest ground for appeal was that the local judge was compromised by his partisan feelings for or against one of the parties, a factor exacerbated by intermarriage among local judges and by the dominance of local judicial office by one or two families. In a notorious case in 1625 three men were arrested for killing a tax official near Les Andelys: the dead man's brother, king's attorney, conducted the investigation with two town councillors, his cousins, and the interrogation was conducted by another cousin. A conviction was achieved by ignoring most of the witnesses, and innocent men were hanged.²³ At the other end of the spectrum was the failure of judges to investigate complaints against their kinsmen. Faction was an ever present problem: in 1465 the Parlement of Toulouse was divided 'into

¹⁹ AD Cantal, Fonds de Comblat, 11 June 1615.

²⁰ Charles Colbert de Croissy, *État du Poitou sous Louis XIV*, ed. C. Dugast-Matifeux (Fontenay-le-Comte, 1865), 149.

²¹ AN X2a 1392, fo. 25^v, 11 Aug. 1582.

²² Mousnier (ed.) *Lettres et mémoires adressés au chancelier Séguier*, i. 522.

²³ Brossard de Ruville, *Histoire de la ville des Andelis et des dépendances*, 2 vols. (Les Andelys, 1864), ii. 170–5.

two groups . . . which are always in dispute and in pique one against another, and that each has a certain number of councillors on each side and . . . that lawsuits are judged according to their whim'.²⁴ Factional and kinship allegiances ensured that royal officials were unable to rise above local politics or embroilment in feuds. Philibert de la Rocheaymon, 'the great devil', appealed against the death penalty for abductions and murders, including that of his wife, since

the officers of Guéret were the mortal enemies of his house for more than one hundred years and the officers had murdered two of his uncles about which there had been two great criminal lawsuits . . . and that his grandfather, then governor of the province of the Marche, executing the orders of His Majesty against the rebels of the town of Aubusson, arrested several of them which caused the inhabitants to arrange the assassination of his grandfather and [when] they attacked . . . his grandfather killed five of them whom the least close in relation to Segliers [vice-seneschal of the Marche] were second and first cousins, and all of them close kin of the majority of the officers of Guéret.²⁵

It comes as no surprise that contemporaries were especially sensitive to jurisdiction. Borders were porous and abetted all sorts of criminal activity. In a contested region like the Franche-Comté war between Spain and France was a pretext for border raids and cattle rustling.²⁶ In the heart of the kingdom the confusion of jurisdictions was exacerbated by the fact that many gentlemen had residences in different jurisdictions and sometimes provinces. The Breton marches, with its large population of poor nobles and where the jurisdictions of the Parlements of Rouen, Paris, and Rennes met, was notorious for its lawlessness. Charlotte Richelot lamented how her adversary was able to play off the jurisdictions of Anjou, Brittany, and Poitou against each other because he had numerous residences in the region. He was finally arrested and taken to Nantes, but his lawyers challenged the competence of this jurisdiction and successfully appealed to the Parlement of Paris.²⁷ More specifically, duellists chose to fight in 'soft' jurisdictions, explaining perhaps the popularity of duelling in the grounds of abbeys and churches: in 1587 two duellists were unable to cross the Sauldre, near Romorantin, which was in flood, to fight in the grounds of the local commandery.²⁸

Squabbles over competence and jurisdiction in cases involving the social elite were also settled, much to the annoyance of the Parlements, by the Grand Conseil and the privy council. A summons from either could be particularly vexatious. The decades-long litigation between the Apchier and Vignolles swung between Paris, Grenoble, and Toulouse. On 4 June 1618 Vignolles was ordered to appear before the privy council, a journey he had to make from Castres. In December 1619 the privy council sent the case back once more to Grenoble.²⁹ The privy

²⁴ AD Haute-Garonne B 2 fo. 395, 10 June 1465.

²⁵ AN X2b 1228, 22 Jan. 1648.

²⁶ For example: AN JJ 260 fo. 145^v, Aug. 1550; 261 fo. 126^v, May 1551; fo. 272, Sept. 1551.

²⁷ AN X2a 1393 fo. 25^v, 20 Jan. 1583.

²⁸ C. de Vassal, *Nobiliaire de l'Orléanais* (Orléans, 1863), 74. However, attempts to claim benefit of clergy were rare.

²⁹ AD Aveyron E 627, 4 June 1618, 28 Dec. 1619.

council was advised by the masters of requests who, when the need arose, could be sent into the provinces to enforce the royal will. Commissioners performed various tasks, terminating a dispute amicably, ensuring the registration of letters of remission, or the diligent prosecution of a malefactor. The Gramont-la Force is one of the best documented feuds because of the correspondence left by Hesperien, the master of requests sent to terminate the affair.

Calls for more direct central intervention were not without precedent: in 1570 the governor of Poitou asked for one or two masters of requests 'to exercise justice in the seats of Lower Poitou for some time'.³⁰ In 1607 and 1608 Jacques de Mérault, master of requests and intendant of justice, was operating in the Auvergne.³¹ During the seventeenth century the role of commissioners was systematized as the masters of requests were superseded by provincial intendants with wider powers who resided permanently in the provinces. Interference was not always welcome, and in any case their authority in matters judicial was compromised by their overwhelming concentration on tax collection and their identification with the hated fiscal policies of Richelieu and Mazarin.

THE FORMAL PROCESS

The influence of canon law on lay jurisprudence in the Middle Ages had two profound consequences. The inquisitorial system developed by the Catholic Church had two main features; it was concerned with intent and it was conducted in secret. Edicts of 1498 and 1539 systematized the procedure. In outline, heinous crimes were dealt with in two distinct phases. Once a complaint had been received the first part was a preparatory investigation, setting out the details of the crime, visiting the body, undertaking the autopsy, and taking witness statements (*information*). The case documents were then handed to the royal procurator who read them and appended his advice before handing them to the investigating magistrate who could now summon the accused or order his arrest. The second part of the procedure began when the accused was in custody with the judge deciding whether the crime warranted corporal or shaming punishment. If so, he would proceed to the extraordinary procedure (*procès extraordinaire*), also known as the special inquisition (*inquisition spéciale*), which aimed to prove guilt in three stages: interrogation, the re-examination of witnesses (*recollement*), and their confrontation with the accused. At all stages of the procedure he was denied legal counsel but had the opportunity to produce an alibi, put forward mitigating circumstances, and challenge the witnesses. Torture could be used before sentence.³²

³⁰ B. Ledain (ed.), 'Lettres adressées à Jean et Guy de Daillon comtes du Lude, gouverneurs de Poitou de 1543 à 1557 et de 1557 à 1585', *Archives historiques de Poitou*, 12 (1882), 285.

³¹ AD Cantal, Fonds de Comblat, 10 July 1607, 2 Jan. 1608.

³² A. Allard, *Histoire de la justice criminelle au XVI^e siècle* (Paris, 1868).

The inquisitorial system as it developed in France has been re-evaluated in recent years by historians who have argued that well-defined procedures and rules of proof and intent, if applied correctly, made for a fairer system of justice than, say, those of England or Germany.³³ This was perhaps truer of the best-educated judges of the Parlement of Paris whose humanist education made them more concerned with matters of probity and procedure than their provincial colleagues. Tighter supervision by the Parlement and the expansion of the appeals procedure was an acknowledgement of the abuses of subaltern courts. All courts faced particular problems when dealing with elite violence. Let us consider how the system worked in practice.

Most criminal proceedings began with a denunciation or complaint. Because the plaintiff had to support the costs of the action and recoup them through civil damages they were drawn disproportionately from the upper echelons of society, and nobles, in particular, were prepared to go over the heads of local magistrates and complain directly to the Parlements. While public prosecution did exist it was usually limited to heinous crimes which perturbed the natural order, such as blasphemy or sorcery, or threatened the king's financial and political interest. Even where a royal official was diligent the cooperation of the victim was crucial. Hearing that the seigneur de Rageaud had a sword wound, the *vice-bailli* travelled to his château to investigate. However, the victim, lying in bed, refused to make a complaint and said that he had had a fall. Not content with this the *vice-bailli* visited nearby villages and drew up a report, but had to return home when he could not locate the suspect. The *vice-bailli* was aware that this was only one of many incidents in a vicious feud over honours in Cheylade church, but he was powerless to intervene without the support of one of the parties.³⁴

Surgeons' reports were crucial to establishing intent and proof: the extent, type, and position of the wounds would support one or other version of events, and the accused or the supplication for pardon would face tough questioning if his story was at odds with the evidence. Surgeons were no less subject to the pressures and inducements brought to bear on all public servants. René de Pocquaire admitted that he had run through his enemy in the stomach in a fair fight and protested that the surgeon had been persuaded to record a wound to the rear as well.³⁵ Any delay in the autopsy could hamper the inquest and contesting parties gained advantage through the possession of the corpse. This was also important because trials did not only take place against the living. Corpses were subject to the law; they could be disinterred by the magistrate and the heirs of the dead could even obtain letters of remission preventing seizure and exposure on the gibbet.³⁶

³³ A. Soman, *Sorcellerie et justice criminelle: le parlement de Paris (16^e—18^e)* (Aldershot: Varorium, 1992); R. M. Andrews, *Law, Magistracy, and Crime in Old Regime Paris, 1735–1789*, i: *The System of Criminal Justice* (Cambridge: Cambridge University Press, 1994).

³⁴ AD Cantal, Fonds de Comblat, 6 Nov. 1608. Rageaud was eventually murdered in 1628, along with his nephew: 12 Aug. 1630.

³⁵ *Recueil de plaidoyez*, plea for Dame Bernarde de Salazar appellant (1547).

³⁶ AN JJ 198 fo. 215, Sept. 1461.

In medieval and early modern Europe the body, in death as in life, was not simply integral to an individual human being, but was a socially defined entity, signifying status in a hierarchical society. Felons were not simply put to death; their bodies were subject to dishonour and degradation. While nobles were spared the infamy of a commoner's death by hanging, their corpses might still be dismembered and displayed and denied a proper Christian burial. The marquis de Beauvais-Nangis records how, after the death of his relative Charles de Balsac in a duel (1610), he prevented the corpse falling into the hands of the local justice and when the opposing party descended on Champcenest church with a commission from the Parlement of Paris he summoned fifty friends and transported the corpse under armed guard to the Balsac family vaults. Despite the disapproval of chancellor Sillery, his actions were widely praised at court 'because I loved my friends even after their death'.³⁷

The royal crackdown on duelling in the seventeenth century was advertised by treating noble cadavers like those of common criminals. Convicted of contravening the edicts on duelling in June 1663 the corpse of René-Anne de la Louppe was 'placed on a hurdle face downwards, and dragged from the conciergerie across the Pont Saint-Michel and through the streets to the gibbet of Saint-Germain-des-Près, where it was hung by its feet'.³⁸ Dishonour was exacerbated by the confiscation of property and the prohibition on a tomb. The unfortunate consequence of this was to redouble efforts by the family to lay claim to the cadaver. In August 1644 the archers of the vice-seneschal of the Bourbonnais, alerted to a duel at Saint-Pourçain, arrested one man and took charge of the body of another. However, when they left to arrest the other survivors, the kinsmen of the dead man rode into town and, on the pretext that it was an assassination and that they intended to make a complaint, they removed the body and freed the accomplice, retiring to their château at Briailles. The vice-seneschal stormed the château, but this did him little good: not only was there no sign of the corpse but the family instituted criminal proceedings against him which ended with a summons to Paris.³⁹

The examination of witnesses, in secret and under oath, was usually conducted by the examining magistrate or officers of the *maréchaussée* soon after the crime. The costs of the *information* were met by the plaintiff. It did not consist of verbatim transcripts but was mediated by a clerk or notary who summarized and ordered the deposition and rendered local usage into French; once completed the witnesses signed or put their mark. The sorts of abuses that could occur when the parties were of high status and the commissioners inadequate is illustrated by Alexis de Bonne's defamation suit against his kinsman Eustache d'Auriac in 1481. The Parlement of Grenoble sent the case back to

³⁷ Marquis de Beauvais-Nangis, *Mémoires*, ed. M. Monmerqué and A. Taillandier (Paris: Société de l'Histoire de France, 1862), 110–15.

³⁸ APP AB 50 fo. 154^v, 4 June 1663.

³⁹ AN X2b 1224, 9 July 1645.

the local justice who commissioned local notaries to take depositions. Both parties ate with the commissioners in the tavern chosen for proceedings, but as soon as the hearing began a brawl broke out in which a man was killed and others wounded.⁴⁰

A more common complaint was that the commissioners were biased or that the *information* had not been done quickly enough. In the seventeenth century the arrival of the commissioners in the locality was still a source of provocation. In 1624, the marquis de Rochefort, lieutenant-general of Poitou, burnt down his litigious neighbour's house. When the *lieutenant criminel* and his archers arrived on the scene they clashed with the marquis's forces and five men were killed, four archers and the marquis's uncle. The next attempt to do the *information* was conducted by the provost of the marshals who succeeded in killing the marquis's nephew. Eventually the crown had to dispatch a master of requests to sort out the mess.⁴¹

Summonses for the defendant to appear in court were routinely ignored. Bailiffs and sergeants charged with serving them ran the risk of assault and worse throughout our period: in 1613 Thomas Cochon confronted a sergeant serving a warrant, tore off his royal badge, and cut off his left ear; and in 1656 the marquis du Palais killed three sergeants and defenestrated others who had come to serve a writ.⁴² If the defendant failed to appear the plaintiff could push for a sentence by default. This effectively outlawed the defendant and opened the way to the sequestration of his property for civil damages. The Great Assizes of Poitou issued over thirty death sentences against noblemen *in absentia* in 1579 and ordered that these fugitives from justice were to be pursued by 'bringing up cannon against those resisting justice'.⁴³ Where local forces were inadequate the local governor could be called to help, but much depended on his political will. Inevitably, arrests were often made by a posse of the kinsmen, tenants, and supporters of one of the parties. Since the sergeants and provosts feared to arrest Claude Blosset, the commission issued by the *bailli* of Auxerre was taken up by his enemies which inevitably resulted in bloodshed.⁴⁴ Warrants and writs legitimized all sorts of abuses and acts of revenge. The *lieutenant de robe courte* of Lusignan and his archers were accused of carrying out an assassination on behalf of the dame de Mortemer in 1610, stealing into her enemy's château at night and shooting him after he had thrown himself on their mercy.⁴⁵ It was not unknown for the prisoner to be killed during capture, lynched shortly after, or, as in the case of Laurent de Pouzols, thrown from a tower of château Saint-Vidal.⁴⁶

⁴⁰ AN JJ 208 fo. 76^r, Oct. 1481.

⁴¹ Louvet, 'Journal', pt. 5, 21 Nov. 1624, 12 Dec. 1624, 12 Sept. 1626. See also the trouble caused by the swearing of witnesses at a tavern in Caen in 1600: Bibliothèque Mazarine 2887, 12 Sept. 1600.

⁴² AN X2b 1182, 15 Feb. 1613; AN U 749 fo. 435, 23 Nov. 1665.

⁴³ Imbert, 'Les Grands Jours de Poitou', 167.

⁴⁴ AN JJ 257/3 fo. 195^r, July 1547.

⁴⁵ AN X2b 1181, 22 June 1612.

⁴⁶ Médicis, *Mémoires*, 548.

THE TRIAL

Court judgements were not neutral; they impugned honour. Charles d'Abzac complained in 1639 that he had been 'condemned by word of mouth' for the murder of his brother in 1626. Despite the fact that the original conviction had been overturned the victim's widow continued to obtain judgements against him.⁴⁷ To feuding parties, writs, summonses, and other court orders were provocations attended by violence. Chief among the flashpoints was the *monitoire*, since it was a summons posted around the parish and read on three consecutive Sundays in church. In November 1465 Aymeric bastard of Tournemire was killed by Simon Durban, chief agent of the Anjony, while trying to prevent the reading of a *monitoire* for information about a dead pig. The Tournemire had their revenge four years later, hiring a lawyer to defend a peasant summoned by Durban to his master's seigneurial court. The lawyer ran rings around Durban who stormed out of the hearing furious, providing a pretext for his murderers to claim they had been attacked.⁴⁸ Durban's anger is easy to image. Even though this was only a seigneurial court it was the only rival to the parish church as a public space, where humiliation was to be avoided at all costs.

Most of the evidence pertaining to gentlemen in court comes from their interrogation and confrontation with witnesses in the criminal chamber of the Parlements: the bigger the stage the greater the potential for vindication or ignominy. In theory the accused was denied access to counsel, but many judges like the great jurist Pierre Ayrault were sceptical of the value of secrecy in the inquisitorial procedure and believed that 'to deny [a proper] defence is a crime'.⁴⁹ It was common for the Parlements to turn a blind to the practices of solicitors and attorneys: in the Parlement of Rouen in the mid-seventeenth century 'always while a judge is conducting the interrogation or confronting the witnesses with the accused, his lawyer is present for consultation only two feet from the judge'.⁵⁰ Those who could afford an attorney were coached. The interrogation was a psychological game in which, Ayrault argued, the judge's ruses were excusable given that 'today the guile of the accused is so great'.⁵¹ Jacques de Piedefer, for example, accused of murdering his neighbour, played on the confessional prejudices of the Parlementaires, arguing that the witnesses were all Protestants and motivated solely out of spite for his apostasy.⁵² In any case, most gentlemen had experience of litigation, a grasp of legal principles, could parry searching questions and plead mitigation. Some even turned the tables on their interrogator.

Proof depended on the evaluation of indices of guilt: antecedent facts, such as motive or bad reputation; concomitant facts, such as the language and comportment

⁴⁷ AD Dordogne 2E 1835/79, Apr. 1639.

⁴⁸ AN JJ 202 fo. 15, Dec. 1465.

⁴⁹ P. Ayrault, *L'ordre et instruction judiciaire* (Paris, 1881) p. lxix.

⁵⁰ Lublinskaya (ed.), *Lettres et mémoires adressés au chancelier Séguier*, ii. 39.

⁵¹ Ayrault, *Instruction judiciaire*, 202–3.

⁵² AN X2b 1199, 7 June 1633.

of the accused; and subsequent facts, for example whether he was a fugitive from justice. Questions were formulated accordingly, but not by the examining judge alone. The plaintiff's counsel would often provide a list of questions that shaped the form of the interrogation.⁵³ Defendants however had ample opportunity to deny them and heap counter-accusations on the plaintiff. Occasionally, the formulaic nature of the exchange was broken. Some defendants, especially if they were contesting the court's competence, refused to answer questions or be confronted with witnesses. In one case where a defendant refused to reply the local judge proceeded as if he were a mute, but made so many procedural errors the Parlement had to take cognizance.⁵⁴ On occasion, the judge's demeanour might reveal itself. Pierre de Beauverger's feigned ignorance led his inquisitor exasperatedly 'to remind him that having taken the oath he must tell the truth'.⁵⁵

Apart from the *information* the judge's weapons against the accused were witnesses and material evidence. In relation to the former, a ritual was played out as the accused responded to each witness with a refutation that highlighted their moral reputation, low status, and partisanship. Guillaume de Monsures disdainfully refused to hear the testimony of peasants, 'who had no right to make complaints to the court' of the Parlement of Paris, because they had been put up to it by his enemy the seigneur de Vilmbrey.⁵⁶ Material evidence was rarer but harder to gainsay. There were three types of exhibit, each with a distinct role in the hierarchy of proofs. Letters might indicate motive and could even demonstrate conspiracy. Henri de Saint-Mesmyn was subjected to a long interrogation in 1584 and only then was his autograph correspondence dramatically read out in court, undermining his defence.⁵⁷ Judges were capable of intercepting private correspondence and handwriting experts were employed to check the provenance of unsigned letters.⁵⁸ The second category consisted of evidence recovered from the scene of the crime. Much attention was paid to the clothing and weapons of the accused.⁵⁹ Victims' clothes demonstrated exit and entry wounds and ballistics was understood sufficiently to show when someone had been shot in the back. Such evidence was not only available to the prosecution. The marquis de Bonnavet complained that the report of the technical expert who looked at his and his victim's pistols had been 'illegally suppressed to prevent the legitimate defence of the defendant'. He claimed that the report vindicated his claim that his adversary had fired first and he demanded that the pistols be deposited with the clerk of the court, that the expert should be summoned, and his report made available to the defence.⁶⁰ Finally, the accused might be confronted with the body, or even the bones, of the victim to prick his conscience.⁶¹

⁵³ Some of these survive: AN X2b 1181, 27 June 1611; 1330, Sept. 1608.

⁵⁴ AN U 749, 20 Oct. 1665.

⁵⁵ AN X2b 1177, 3 Dec. 1600.

⁵⁶ AN X2b 1187, 1 Feb. 1625.

⁵⁷ AN X2b 1176, 4 June 1584.

⁵⁸ For example: AN X2b 1181, 21 Jan. 1612; 23 Dec. 1611.

⁵⁹ AN X2b 1191, 5 May 1627; 1219, 5 Mar. 1643.

⁶⁰ AN X2b 1220, 23 Dec. 1643.

⁶¹ Chabannes, *Histoire*, iii. 96; www.bienpublic.com/dossiers/decouverte/crime7.html (2003).



FIG 8.1. The defendant is interrogated on the *sellette* (stool). From Jean Milles de Souvigny, *Praxis Criminis Persequendi* (Paris, 1541). By Permission of the Warden and Fellows of Merton College, Oxford.

Trials are usually associated with imprisonment. For nobles this was usually experienced voluntarily as part of the process of applying for letters of remission or awaiting their registration. For those with the resources this was rarely an uncomfortable experience and in many cases the defendant was bailed under surety or placed under the supervision of a bailiff. Incarceration was, however, likely to be more arduous if one's adversary was more powerful and better connected. No sooner had Julien Fauvereau been released from the prison of the Châtelet than his opponent, using a writ from a different court, had him committed to the prisons of For Levêque, also in Paris, and later transported to Angoulême by coach, which suggested a conspiracy, for 'to imply that a poor blacksmith [his adversary] had the means to do this is not likely; it is certain that the coach . . . came from the house of a [noble] lord'.⁶² If, for example, letters of remission were contested, the competence of the jurisdiction in question, or the trial delayed, a long and expensive sojourn in prison resulted. Gérard de Biderraud had been in prison for twelve years, 'having been abandoned by the whole world and having no means he had not been able to obtain letters [of remission] sooner and if the court did not take pity on him he would die miserably in prison, and without the charity of several people who had taken pity on him they would still not have been read'.⁶³ He was fortunate—others died in prison.⁶⁴ Prison was a dangerous environment for other reasons. Testimony from fellow prisoners and prison officials was admissible: Louis de Nantilly gained the confidence of a prisoner he was escorting to Paris and got him to confess that he had been among the killers of the baron de Hertré.⁶⁵ Balthazar de Léans had the misfortune to be locked up with his enemy, and was assaulted.⁶⁶ Of course, a legitimate arrest did not necessarily ensure that the accused would be delivered to the correct jurisdiction. Jean Dauzolles was taken to the château of Corein in the Auvergne and tortured by masked men 'who unwarrantedly tied his arms and legs and pulled out the hairs of his beard, forcing him to write to his wife to send 1,000 *écus*'.⁶⁷

The use of torture was already declining in the sixteenth century and this accelerated in the seventeenth century, partly as a result of the low level of confessions, which rarely rose above 10 per cent for the jurisdictions studied, falling as low as 2.3 per cent for the Parlement of Paris in the early seventeenth century. It was rarely applied to people of status above the middling sort of merchants and notaries; it was shaming and only applied to nobles accused of crimes associated with the occult, such as poisoning, where proof was difficult, a factor which applied much less in cases of vindictive violence. A double standard operated: the marquises de

⁶² AN X2a 1394, fo. 71^v, 26 Jan. 1585.

⁶³ AN X2b 1246 31 Aug. 1657.

⁶⁴ Jean de Serrurier had still not had his letters of remission registered by the Parlement when he died after years in the conciergerie; his son Gauvain escaped down a rope from another Parisian prison, the Petit Châtelet: AN X2a 87, 6 May 1536; JJ 261 fo. 271, Aug. 1552.

⁶⁵ AN X2b 1181, 21 Sept. 1612.

⁶⁶ AN X2b 1180, 7 Apr. 1609.

⁶⁷ Dauzolles had killed the seigneur de Corein's brother and this money was part of his reparations: *Généalogie de la maison d'Auzolles*, 48.

Bonnivet and de la Rocheaymon were not subjected to torture like their low-born accomplices.⁶⁸ The records of the Parlement of Paris for the first half of the seventeenth century are incomplete, but show only four nobles subjected to torture, three of whom had killed people of higher status.⁶⁹ Political factors could overcome a court's reticence: when the marquis de Fors was assassinated by masked men in 1663 his powerful court connections, which included his brother-in-law the duc de Richelieu, prevented an appeal to the Parlement of Paris and resulted in the *présidial* court of La Flèche torturing Bernard de la Broue, head of a significant provincial lineage.⁷⁰ Bernard was 70 and senile, and this *cause célèbre* underlined the Parlement of Paris's mistrust of the deficiencies of local courts and its readiness to evoke cases at any suggestion of improper procedure. Louis de Cros *chevalier*, though 'tortured several times' until he confessed to murder, was able to obtain letters of remission and appealed to the Parlement of Paris that the strict procedures governing torture had been violated: 'having been detained three or four days without food or water and constrained to make three or four confessions, but [he] varied them in order to demonstrate constraint and compulsion.'⁷¹ In twenty-one appeals against torture heard by the Parlement in the period 1526 to 1648, five subjects were decapitated, largely for heinous crimes unassociated with vindictory violence, and one sent to the galleys for life. However four were banished for a term of years and eleven were released outright. Although the statistical base is small, the dislike of the Parlement for torturing men of status seems clear.⁷²

CHICANERY

Chicanery frustrated the plaintiff, diminished his resources, and ultimately forced him to an accommodation: 'French chicanery is the worst of all evils'.⁷³ Vexatious litigation was the simplest way to do this; launching counter-suits against one's party, harrying him and hounding him. As opponents of secrecy were quick to point out, the very nature of the procedure encouraged the parties to adopt underhand methods in their defence. Access to the *information* was crucial to an effective defence and let sergeants, clerks, and judges line their pockets. Such chicanery was unproblematic if the parties were evenly matched; it made for a more open and robust criminal justice system. However, it severely disadvantaged the

⁶⁸ AN X2b 1214, 23 May 1641; H. Delattre, *Histoire de la maison de La Roche Aymon* (Paris: Union, 1964), 131. See also the *question modérée* applied to Adrien de Gradmart, accomplice of the seigneur de Gréalme: AN X2b 1331, 14 Jan. 1633.

⁶⁹ AN X2b 1330, 13 Feb. 1613 (Louis Guerin *écuyer* for the murder of the baron de Hertré); AN X2b 1331, 14 Aug. 1636 (Charles and Jean Duveineau *écuyers*, killers of the dame de la Curée); AN X2b 1250, 19 July 1658 (Hubert de More *écuyer* for murder).

⁷⁰ *Discours a messieurs du presidial d'Alencon*.

⁷¹ AN X2a 32 fo. 74, 11 May 1462.
⁷² In addition to the prison records of the conciergerie (APP AB): AN JJ 242 fo. 181, June 1526; 258/1 fo. 314^v, Sept. 1548.

⁷³ La Roche, *L'Arbitre charitable*, epistle.

poor and powerless whose restricted access prevented them from mounting an adequate defence. Moreover, the ninth commandment was routinely flouted as witnesses were subjected to intimidation and enticement. Plaintiffs had to support the costs of the witnesses during the trial, an expense which rose substantially if the witness had to travel a long way.⁷⁴ The contention that the Maine was 'full of false witnesses, false notaries and counterfeiters' obviously had some resonance, otherwise it would not have been included in René de Cissé's letters of remission.⁷⁵ Witnesses were exposed to beatings, intimidation, and even death. In 1576 Edmé de Rabutin was beheaded for suborning and corrupting them.⁷⁶ If witnesses changed their story the trial would stall during their re-examination. The better-prepared defendant was able to go beyond attacks on the reputation of the witnesses as 'fornicators', 'drunkards', and 'beggars' and undermine their integrity with evidence of their partisanship. François de Rochechouart complained that the witnesses had been coached and got one of them to admit that they had been wined and dined in Paris at the expense of his adversary. He knew that one of them had been branded and had already been convicted of false witness—facts that were verifiable.⁷⁷

The decline of the great princely feudatories during the fifteenth century brought the worst abuses of seigneurial justice to an end. In 1515 the Parlement issued a judgement highly critical of the officers of the duc de Bourbon for malpractice in which the duke himself was cited for falsely imprisoning a nobleman and forcing him drop his action under pain of being drowned.⁷⁸ However, many if not most royal judicial officials supplemented their income by serving as seigneurial judges, and abuses at the village level continued to be a familiar problem. As venal office-holders, judges had to make a return on their investment, 'having bought their office dearly wholesale, they had to sell it on retail with avarice'.⁷⁹ After the Wars of Religion the costs of offices rocketed: in 1593 a councillorship in the Parlement of Rouen was valued at 7,000 *livres*, rising to a high of 84,000 *livres* in 1633 before tailing off to 62,500 *livres* in 1643, as the crown sold ever more offices. The same post in the Parlement of Paris cost almost double. Increases were less spectacular lower down the hierarchy: the office of lieutenant-general civil at the *bailliage* of Caen was valued at 30,000 *livres* in 1603 and 80,000 in 1634. Salaries were low, irregularly paid, and did not keep pace with the costs of office.⁸⁰ Gifts and fees (*épices*) were largely tolerated, although in September 1560 Gilles de Becdelièvre, who had bought the office of *lieutenant criminel* of the seneschalsy of Rennes for 2,200 *écus*, was fined 200 *livres* and suspended for six months for malpractice after it was heard that he demanded 6

⁷⁴ Rates were 25 *sous* per day in 1636 rising to 30 *sous* in 1644: AN X2b 1205, 27 Sept. 1636; 1220 22 Feb. 1644. However, Martial Coulart, a woolcomber, was paid 12 *livres* a day in 1612, possibly because he had to travel from the Bourbonnais: AN X2b 1181, 5 Mar. 1612.

⁷⁵ AN JJ 261/2 fo. 326, Oct. 1552.

⁷⁶ AN X2a 89, 24 Mar. 1576.

⁷⁷ AN X2b 1220, 22 and 29 Feb. 1644.

⁷⁸ AN X2a 70 fo. 151, 22 June 1515.

⁷⁹ Charles de Loyseau quoted in R. Mousnier, *La Vénéralité des offices sous Henri IV et Louis XIII* (Paris: Presses Universitaires de France, 1971), 466 n. 4.

⁸⁰ Ibid. 360–5, 455–62.

sous for every warrant he issued.⁸¹ There can be little doubt that justice was undermined by more serious corruption. The killers of the comte de Charlus managed to escape after the lieutenant of the *maréchaussée* was given a horse, 100 *écus*, and promised fifty more.⁸²

This amounted to what one magistrate referred to as the principal problem of order in the provinces, namely that judges and noble malefactors 'fraternize together'. The solution was exemplary justice to spread 'fear and terror' among the provincial elite, and indeed this was the assumption underlying the intermittent assizes, or *grands jours*, held by the Parlements in the remoter parts of their jurisdictions.⁸³ Some judges were famously impartial and fearless: Pierre Ayrault 'cut off the heads of many gentlemen in this country of Anjou' from his appointment as *lieutenant criminel* of Angers in 1568 until his death in 1601.⁸⁴ Others, however, paid the ultimate price for daring to challenge the nobility: a president of the Parlement of Paris and a president, of the Grand Conseil were murdered in the 1570s; the president of the *présidial* of Évreux in 1636; the *lieutenant particulier* of Angoulême in 1698. In each case the perpetrators were pardoned.⁸⁵ A beating from a nobleman's lackeys was a professional hazard for all officers of the law.⁸⁶ Many of these incidents can be attributed to the dangers inherent in social mobility as officers of the *robe* challenged the sword nobility for social pre-eminence, a problem which reached its peak in the first half of the seventeenth century.

Patrons protected, mediated for, and interceded on behalf of their clients during the legal process. At a simple level this might consist of standing surety, providing bail, and paying fines; or more significantly lobbying the king to grant a pardon. Even peasants had a chance to challenge their lord in court if they could find a protector willing to take on a mutual enemy. Judges were subject to the same pressures as any other official in a political system oiled by patronage: their careers depended on deference to the interests of the powerful. In local society they wished to mix with and emulate rather than antagonize the local nobility. Michel de Rousse complained in 1631 that the charges and investigation against him were cooked up by his enemy and the judges at Mondidier for only 56 *livres* because they 'commonly ate and drank together'.⁸⁷ Aristocrats looked after the interests of their provincial clients at court, pressing the king to intervene on their behalf in local disputes. Ministers intervened directly to favour their clients' lawsuits.

Court intrigue can be followed in detail in the correspondence of the Ussel de Châteauvert family, one of whom, Gilbert, was murdered by the Duron de

⁸¹ P. Parfouru, 'Livres de raison de familles bretons conservées aux archives d'Ile-et-Vilaine', *Bulletin archéologique de l'Association Bretonne*, 16 (1898), 394–470.

⁸² AN X2b 1181, 12 Mar. 1612.

⁸³ Édouard Molé commenting on the Clermont Great Assizes of 1582: Imberdis, *Histoire des guerres de religion en Auvergne*, i. 457.

⁸⁴ Louvet, 'Journal', pt. 1. 287. ⁸⁵ AN X2b 1175, 22 May 1579; 1214, 16 Apr. 1641; Rabourdin, *Sabrevois*; <http://perso.wanadoo.fr/jm.ourrad/armor/fami/r/remon.htm> (2005).

⁸⁶ See for example: AN X2b 1178, 28 Sept. 1601; 1228, 27 Nov. 1647; AD Seine Maritime, 1B 3200, 13 July 1585; BN MS Fr 4740 fo. 102, 12 Nov. 1600. ⁸⁷ AN X2b 1196, 27 Nov. 1631.

Segonzac in Marche in 1668. The Ussel entrusted affairs to the victim's uncle, the comte de la Rocheaymon, one of the most significant men in the province. The Segonzac appealed to the Grand Conseil against the death sentence issued by the vice-seneschal of Guéret and at the same time 'employed several persons of quality to try to obtain from the king his letters of abolition'.⁸⁸ The count dispatched an agent, André de Bay, to Paris to counter them. Bay promised to obtain the *information* on the murder of the count's nephew and to discover 'the witness who is the most advantageous to the murderers and hence if there is something against him that can destroy his deposition'. He knew that the accused had already offered money for a copy and promised to do everything to hinder them. At Versailles both sides activated their contacts: Bay informed his master that his adversaries 'act powerfully and it has been said to me that Madame [duchesse] de Ventandour can do much through Monsieur de Louvois [secretary of state for war] by the intercession of her mother-in-law... Monsieur [the bishop of] Limoges solicits strongly in our favour and Madame de Senese and others.' La Rocheaymon boasted more impressive contacts than his enemy. On 13 March 1668 Bay obtained an audience with the king who told him to submit his request to Louvois. The next day he obtained an audience with the chancellor through the offices of the comte de Pompadour. His second audience with the king was facilitated by the duc de Noailles, who told him 'to come tomorrow morning at the guard room to be present at the king's rising [*lever*] which would result in preventing your adversaries from obtaining letters of grace [for] rumour has it that they have spoken to His Majesty via some persons of credit'. Bay now discovered that Louvois was his principal obstacle and that his superior contacts were matched by the Segonzac's cash, which has 'everywhere great effects'. Bay also had to grease palms, obtaining a copy of his adversaries' supplication to the Grand Conseil from the clerk of the court. The result of these manoeuvres was a compromise: the sentence of the local courts against the Segonzac was quashed and they presented their letters of remission to the Parlement of Paris, which in September 1671 banished them from Auvergne and Marche for nine years and ordered them to pay 4,000 *livres* compensation.

Patrons did not act altruistically. La Rocheaymon kept an account of his expenses for reimbursement by his kinsmen—by All Saints Day 1668 he had already spent 2,000 *livres*. For those without the wherewithal, finding a backer to buy into the lawsuit on the promise of a portion of the civil damages was the only means of proceedings against a powerful opponent. Peasants looked to entrepreneurial bourgeois to buy up their claims and petty nobles traded with the higher nobility on the same principles.⁸⁹ The widow of Pierre de Maillet *écuyer* sold her rights to the civil damages against her husband's murderers, men of significant local standing, to the comte de Tresmes in 1610 for 600 *livres*.⁹⁰ This route had its

⁸⁸ For this and following: AD Creuse E 403.

⁸⁹ Coyeque, *Recueil d'actes notariés*, ii. 97.

⁹⁰ P. Moulard, *Fief et seigneurie de Maleffre en Arconnay* (Le Mans, 1896), 24.

dangers. In 1580 François de Coignac sold his half of the proceeds of his action against his father's killers to the comte d'Escars, 'a powerful man with great means'. To Coignac's irritation the comte came to a settlement with his enemy.⁹¹ Moreover, the purchasing of an action often had a more malicious intent. Vexatious litigants purchased actions civil and criminal to hound their enemies. When Julien Fauvereau contested his pardon, Jean de Barro revived a fifteen-year-old complaint that Fauvereau had killed a peasant girl pregnant with his child. Barro conducted the *information* in his seignury and obtained an arrest warrant in the name of the dead woman's brother, enabling him to imprison his opponent.⁹²

Defendant and plaintiff formulated tactics with their legal counsel in conjunction with their family council. The implementation of policy not only required men skilled in law but agents and fixers, like André de Bay, who possessed inside knowledge and contacts. Others were called on to perform darker and more dangerous roles. Difficulties between the des Acres, barons de l'Aigle in Normandy, and their neighbours, the Surmont, came to a head first in August 1620 when representatives of the clans fought an inconclusive duel and then in October with the assassination of 17-year-old Charles de Surmont by brothers Jean and Sébastien des Acres. Enter Guillaume d'Anzeray, procurator fiscal, tax farmer, and solicitor of the accused. Anzeray obstructed the investigation for as long as he could, but the case was clear cut and the brothers were condemned *in absentia* in November 1621. Anzeray was paid a fee of 200 *écus* by his employers to get the sentence quashed. His first tactic was to offer the Surmont a settlement; he met their representative and offered them 5,000 *livres*. When they rejected this offer Anzeray tried to use his extensive kinship contacts in the Parlement of Rouen to overturn the judgement, and he launched a counter-suit at Verneuil against the Surmont on various charges, including attempted murder. The Surmont, originally a legal clan from the Perche, had contacts beyond Normandy: their cousin Jacques de Prévost was an advocate in the Parlement of Paris. They obtained letters (March 1625) from the privy council evoking all the suits in Normandy to Paris. Anzeray's next ploy backfired: his attempt to arrest Prévost for debt outside the Paris courts as their case was about to be heard ended in an argument and scuffle that led to his own arrest. Things went from bad to worse: the subsequent investigation uncovered his correspondence with the des Acres family and his expense account, detailing the costs of suborning and recruiting witnesses against the Surmont.⁹³

If chicanery, bribes, and patrons failed, escape was the last resort of the prisoner unsure of clemency. The duc de Beaufort's escape from Vincennes in 1649 after five years of incarceration, dramatized so famously by Dumas, was unusual only in that political prisoners were more securely guarded. In the mid-seventeenth century the conciergerie in Paris was especially insecure: in 1637 twenty to thirty men overwhelmed the gaoler and set free Jacques le Bossu; Timoléon des Boves escaped

⁹¹ AN X2a 1392 95^v, 9 June 1582.

⁹² AN X2a 1394, fo. 71^v, 26 Jan. 1585.

⁹³ AN X2b 1187, 27 May 1625, 5 and 7 Sept. 1625; 1191, 22 Apr. and 23 June 1627.

through a hole in his room in 1641 and later settled with his opponent; the baron de Bonneval would have made it over the wall in 1638 had he not fallen from the rope and hurt his leg; in 1644 Joseph-François de Diadene was discovered working at the flooring in his room with a gimlet.⁹⁴ Nobles' privileges gave them more opportunities than other prisoners. The most dramatic escape was made by the chevalier de Roquelaure in 1648 using materials brought in by a visitor; he made a hole in the wall, built a ladder, and made a spare set of keys from a candlewax mould.⁹⁵ Security in the provinces was probably worse. In February 1601 lackeys of Charles de la Guiche, brother of the governor of the Bourbonnais, were arrested for beating up the *lieutenant criminel* of Moulins. Charles rode into town with twenty or so men and forced the concierge to open the prison with a knife at his throat, complaining that if his men had done wrong it was his right alone to punish them.⁹⁶

COSTS

Every stage of the legal process entailed expense. For those above the middling sort the costs should not have been prohibitive. In Anjou in 1577 a sergeant could be hired for 4 *livres* a day, the *lieutenant criminel* charged 6 *livres* a day and 30 *sous* per interrogation, a gibbet could be had for 2 *livres*, and the executioner of La Flèche charged 3 *livres* 15 *sous* per execution in effigy.⁹⁷ The costs of a case were determined by the status of the accused: the relatives of the Languejoue twins spent 10,000 *livres* but were only able to have their assassins executed in effigy.⁹⁸ Pursuit of the assassins of Jean II de Vivant at the Parlement of Bordeaux took five years and cost a staggering 25,000 *livres*.⁹⁹ This was not so unusual: the Apchon family spent the same sum pursuing the vicomte d'Aubeterre in the 1570s.¹⁰⁰

The exorbitant costs of justice are best observed in the legal process that followed an encounter between significant Angoumois clans. Animosity between the Raymond and the la Broue was already fifteen years old when it turned deadly in the summer of 1625. Politics was a contributory factor: the la Broue were clients of the duc d'Épernon, governor of Guyenne and inveterate foe of the Parlement of Bordeaux, in which the Raymond were an established presence.¹⁰¹ The families had already clashed outside the church of Dignac in August and challenges had

⁹⁴ AN X2b 1207, 23 Aug. 1637; 1208, 31 May 1638; 1221, 6 Feb. 1644; APP AB 35 fo. 13, 2 Oct. 1640.

⁹⁵ AN X2b 1228, 16 Mar. 1648.

⁹⁶ AN X2b 1178, 28 Sept. 1601.

⁹⁷ A. Ledru, *Les Seigneurs de la Roche-Coisnon* (Mamers, 1881), 34.

⁹⁸ La Taille, *Discours notables*, 103.

⁹⁹ A. Magen (ed.), *Faits d'armes Geoffrey de Vivant* (Agen, 1887), 97.

¹⁰⁰ AD Allier E 265, 16 Feb. 1575.

¹⁰¹ Beauchet-Filleau, *Dictionnaire historique*, i. 25; J. Nadaud, *Nobiliaire du diocèse et de la généralité de Limoges*, 4 vols. (Limoges, 1856–63), iv. 9.

been exchanged when in October half a dozen men from each side fought an encounter on the Périgueux–Angoulême highway in which each lost a man.¹⁰² A dual legal process now began: Jean-Louis de la Broue was indicted for the murder of Henri de Raymond; while the la Broue had lost a retainer, Boisjoly, and they bought into his mother's action against Pierre de Jambes, cousin of the Raymond, and three valets of the Raymond, for 1,200 *livres*.¹⁰³ Although the accused had each obtained letters of remission, costs began to escalate dramatically because there was no conclusive peace settlement and each side opted to challenge the registration of their opponent's pardon in the Parlement of Paris. The two pardon tales were irreconcilable and victory in the courts would confirm one or other, deciding both the level of damages and who emerged from the process with more honour.

At 70 Pierre de Jambes's sojourn in the gaols of Angoulême in the winter of 1625 was more arduous than for most. He was unable to appeal his case to Paris because of the 'subterfuges' and 'frivolous' rulings obtained by the la Broue.¹⁰⁴ Affairs were under the overall charge of the head of the clan, Gabriel de Raymond, who worked through an agent to oversee the registration of Jambes's letters of remission and to prevent Jean-Louis de la Broue from registering his. The agent maintained a detailed account of his expenses. His first task was to travel to Paris to solicit the privy council and obtain letters of pardon with the correct seal. This trip, lasting no more than a few weeks, cost 1,220 *livres*. Great attention was paid to detail—a metal casket was purchased for 8 *sous* to protect the precious parchment and seal.¹⁰⁵ On his return his next task was to take Jambes back to prison at Angoulême, so that he could take possession of his pardon. Rates at the gaol were 16 *sous* per day for Jambes and 8 *sous* for co-defendants, but the greatest expense was on lawyers. Of the 429 *livres* spent in April and May at Angoulême 300 *livres* went into the pockets of only two men, one a messenger who travelled back and forth to Paris and the other a procurator.¹⁰⁶ Finally, Jambes was ordered to appear at the conciergerie in Paris in preparation for the presentation of his letters and he left Angoulême on 8 June.

The second trip to Paris was to prove even more expensive than the first. By 12 December 1626 over 5,280 *livres* had been spent and the initial fighting fund established by the family was exhausted.¹⁰⁷ Everyone and everything had its price. An attorney and solicitor had to be engaged. The supposedly secret procedure was only as closed as one's purse strings. Money was disbursed to clerks to look at dossiers submitted to the court by their adversaries and to prevent the la Broue from doing the same.¹⁰⁸ There were the living expenses for his charges: new shoes for Jambes's appearances in court on 7 April (3 *livres* 2 *sous*), his laundry bill (18 *sous*), and Lebanese sandalwood (6 *sous*) because he fell ill on the day of sentencing.

¹⁰² AN X2b 1190, 7 Apr. 1626; 1191, 30 Jan. 1627.

¹⁰³ AD Dordogne 2E 1850/96, 12 Dec. 1625.

¹⁰⁵ *Ibid.*, no. 41.

¹⁰⁶ *Ibid.*, no. 10.

¹⁰⁴ AD Dordogne 2E 1850/96, 1626.

¹⁰⁷ *Ibid.*, no. 47.

¹⁰⁸ *Ibid.*, no. 41.

The outlay was however a great success: the letters were registered and Jambes released (October 1626) on condition of a payment of a paltry 226 *livres* in pious works and civil damages.

The agent's second task now began on 3 December 1626 when la Broue himself entered the conciergerie armed with his letters of pardon. There were connections in Paris to be exploited—the father-in-law of Gabriel de Raymond, head of the clan, had been an accountant in the *Chambre des Comptes*—the seigneur d'Estrades, governor of the duc de Nemours and influential courtier, was approached to counter the lobbying of the opposing party.¹⁰⁹ They were not successful in keeping la Broue, who was released in February 1627, imprisoned. Attempts were made in court to expose the falsehoods in la Broue's letters of remission. While there is no evidence of corruption, a list of the judges serving that semester was purchased, each of whom was presumably circulated with the brief (*factum*) that the Raymond had had composed and printed at cost of 37 *livres* 8 *sous*. Expenses mounted: the agent had returned to Périgord briefly in January 1627 to pick up 1,200 *livres* in cash but by May was running short of funds and had to borrow 100 *livres* from a Parisian banker at 8 per cent. These six months in the capital were to be the most expensive of all, costing over 3,324 *livres*. By the end of June 1627 when we lose track of events total expenses had reached 8,605 *livres* 4 *sous* 4 *deniers*.¹¹⁰ Initially, a fund of 4,000 *livres* had been established from sums owed to the dead man but when this was exhausted the heirs could only recover their expenses with the award of civil damages against la Broue. Unfortunately, the records do not tell us how much the heirs were able to reclaim, if anything.

PUNISHMENT

By the standards of the time appellants to the Parlements got a fair hearing and had a reasonable chance of having their sentences reduced or quashed, and it is no surprise that the number of appeals grew steadily. In states where the procedure was less scrupulous the consequences of summary justice could be horrific. It has been calculated that there were 75,000 executions in England (population 4–5 million) in the period 1550–1630.¹¹¹ French justice had other problems: though a blizzard of interlocutory and definitive judgements rained from the royal courts, statistical analysis is largely meaningless because of the confusion caused by contradictory judgements in different courts, the difficulty of enforcing them, and the ease with which they were ignored or circumvented. The Great Assizes of the

¹⁰⁹ AD Dordogne 2E 1850/96, no. 22.

¹¹⁰ Ibid., no. 47. Calculated from two separate totals, one covering the period from the beginning of the affair to 12 Dec. 1626, the other for the period up to 21 June 1627.

¹¹¹ S. Hindle, *The State and Social Change in Early Modern England, c.1500–1640* (Basingstoke: Palgrave, 2000), 119.

Paris Parlement which visited Poitou 1579 issued nearly a thousand writs, warrants, and sentences, mainly targeting the social elite, which ended in dozens of executions by default but only seven actual beheadings.¹¹² The implementation of a court order depended on tenacity and patronage. Those without the power to recover fines might have to sell their rights to someone else. We know that Champroux passed to the heirs of the comte de Charlus and its château was razed because its stone was used to build a chapel in honour of the victim.¹¹³ After killing a priest and a tax official the marquis de l'Hôpital was 'utterly ruined' when he, his 'furniture, titles, his daughter, his butler, and all his revenue' were seized.¹¹⁴ But for those with influence it was a different matter. In March 1672 Marie de Hautefort was condemned to banishment, her son to death, and together they were fined 15,000 *livres* for the assassination of the marquis de Saint-Nectaire. Louis XIV intervened personally, ordering the retrial of the son in Grenoble, paying the fine himself, and restoring their sequestered property. Two valets were hanged in recompense.¹¹⁵ Exile was a common experience for outlaws, allowing time for their protectors to intercede for them and for the ardour of the officers of the law to abate before they returned to their homeland.

For these reasons the execution of a nobleman was a rare event. Decapitation was reserved exclusively for noblemen in the jurisdiction of the Parlement of Paris but in other courts, such as the Parlement of Bordeaux, it was used for all social groups. For aggravated homicide, with malice aforethought or by ambush, the victim was dragged to the scaffold on a hurdle. If the victim was a kinsman his hand would be cut off. For multiple homicide he would be quartered and the parts exposed at the scene of the crime. In 1535 a new punishment—breaking on the wheel (in which each of the victim's limbs was broken with an iron bar before he was raised onto an elevated wheel and left to expire)—replaced burning alive for brigandage and intentional homicide. For most people the spectacle of decapitation was more likely to have been carried out on an effigy, most spectacularly when nine figures were decapitated and another eleven broken on the wheel at Toulouse, Neuvic, and Périgueux, representing the killers of Charlotte de Fayolles.¹¹⁶ Execution in effigy did not signal the end of the process and appeals and letters of remission invariably purged the act. Even in the few cases where those executed *in absentia* were eventually brought to justice the evidence suggests that this was with the consent of their adversary and they were later released without corporal punishment.¹¹⁷ Executing the effigy, a straw mannequin, was largely symbolic and part of the tortuous process of forcing an enemy into a settlement. Moreover the depictions of the effigy in paintings that were displayed at the scene

¹¹² Imbert, 'Les Grands Jours de Poitou', p. xv; Le Riche and Le Riche, *Journal*, 314–17.

¹¹³ Simoën, *Archives du château de Lérans*, 501–2.

¹¹⁴ Floquet, ii. 12.

¹¹⁵ Regné, *Mélanges vivarois*, ii. 33.

¹¹⁶ *Factum pour Messire Louis de Rochechoüard chevalier seigneur comte de Maure* (n.p., n.d.).

¹¹⁷ APP AB 21 fos. 270, 293^v 9 June 1614; 24 fos. 132, 132^v, 17 Sept. 1619; 33 fo. 103, 22 Oct. 1639; 34 fo. 121, 17 July 1640.

of the crime and the crying and posting of the judgment in public places was designed to humiliate an elusive enemy, and from the point of view of public order could be counter-productive. After the seigneur de Pennentéz had his neighbour executed in effigy at the public scaffold the neighbour retaliated by smashing the effigies and burning down a house. Pennentéz had the effigies remade and summoned his kindred to await the inevitable riposte.¹¹⁸ In July 1558 the enemies of Jean de Pasnantaïs were executed in effigy and their portraits displayed at the principal gates of Nantes, but one night the effigies were removed and the scaffold demolished. Jean rebuilt it and, knowing that they would return, he posted arquebusiers in the surrounding houses and killed one of them in the ambush.¹¹⁹

The ritual drama of the scaffold had social and political functions, edifying the masses and affirming the power of the state, but above all it was a religious ceremony in which repentance and redemption accompanied retribution. The procession to the scaffold was penitential: dressed in shirt, in bare feet and carrying a torch in his hand, the condemned was led from prison to the place of execution, stopping at pre-arranged points to confess his guilt and ask forgiveness; finally, after hearing the judgement he mounted the scaffold, where the 'Salve Regina' was sung. Right to the end he was accompanied by one or more priests and in some regions by groups of hooded penitents as well. This ceremony of expiation required that the condemned and the assembled community both played their parts to the full. In particular, the principal actor had to die an exemplary Christian 'good death' in order for the spectacle to succeed. This was encouraged by the courts, which could waive the more shameful rituals of the ceremony associated with common criminals and, in the case of breaking on the wheel, order the executioner to dispatch the victim by garotte, preventing unnecessary suffering.

Executions were exemplary spectacles of power; noble executions all the more so. Kings required them at times of crisis to reassert and project their authority. In 1579 a beheading was ordered after an honour killing to put a stop 'to the infractions, murders, assaults, assassinations committed every day in Paris and elsewhere in the kingdom by those who claim to have been offended by word or deed' and an ordinance prohibiting private vengeance cried throughout the realm.¹²⁰ As soon as he reached his majority, Louis XIII turned a deaf ear to the loud appeals for clemency for the baron de Guémadeuc: 'I owe justice to my subjects and in this instance I must prefer justice to mercy.'¹²¹ Because of their novelty such spectacles were better attended and more dramatic than the run of the mill execution. People camped out in the place de Grève in Paris in order to reserve the best seats three days before the judgement condemning the chevalier d'Andrieux in 1638.¹²² François Billacois has analysed the rich public debate surrounding the trial and execution of the comte de Bouteville and his

¹¹⁸ ADSM G 3503, May 1582. See also: AN X2a 1398, 8 Aug. 1597.

¹¹⁹ AN JJ 263 fo. 96^v, Feb. 1566.

¹²⁰ AN X2b 104, 5 Aug. 1579.

¹²¹ A. L. Moote, *Louis XIII: The Just* (Berkeley and Los Angeles: University of California Press, 1989), 119–20.

¹²² Granges de Surgères, *Gazette*, i. 66.

second, the comte de Chapelles, in 1627.¹²³ Richelieu was determined, despite intense opposition from the aristocracy, to make an example of men who had flagrantly flouted the edicts on duelling to 'affirm and cement royal authority'. The carnivalesque elements that many historians associate with public executions were little in evidence as the large crowd maintained a respectful, even sympathetic silence. Fears of a last ditch rescue attempt proved unfounded and both men went to their deaths in the dignified fashion that befitted their station. Chapelles died in a 'joyful' and 'saintly' fashion having undergone a conversion experience and both men were followed to the scaffold by Oratorians, representing a devout Counter-Reformation sensibility. Their comportment was, however, also dictated by the fact that provisions contained in the law against duellists—degradation of nobility and hanging—were not invoked and their bodies were delivered to their families for burial.

The ceremony of execution was a rite that affirmed social and political order by punishing the body of the transgressor and proclaiming the power of God's mercy. However, the script was not always adhered to. A man of honour faced a dilemma: on one hand a good death following confession would bring shame and social infamy to him and his family; on the other, to insist on a miscarriage of justice jeopardized one's spiritual salvation. Ideally, nobles 'sought spiritual salvation without forfeiting its social counterpart'.¹²⁴ In the last three months of 1579 the Great Assizes of Poitou beheaded seven noblemen. We know this because a bourgeois of Saint-Maixent records it in his journal; he is less forthcoming with their names. One of them was a man of significant standing, a knight of the order of Saint-Michel, whose collar was removed after execution to avoid the humiliation of degradation. But his name is only recorded as 'B' in the journal, as if our bourgeois feared or was ashamed to commit it to paper. This reticence towards noble malefactors can be found in the actions of the authorities too. At one level this was displayed in the suffering that noble malefactors and commoners had to endure. Hanging was not only dishonourable; it was a slow and excruciating death. Although many nobles were condemned *in absentia* to be broken on the wheel, it was rarely carried out for instances of vindictive violence. When two noblemen were broken on the wheel in the summer of 1659 it was for heinous crimes: Charles de Chabannes had murdered his cousin outside the Augustins in Paris; Victor de Sardette had killed his father, grand provost of the marshals of France. These were exceptional events that symbolized Louis XIV's reassertion of royal authority. I have been able to find only seven other instances of breaking noblemen on the wheel, one of which was commuted to decapitation and two to strangulation before the execution.¹²⁵ Social distinction

¹²³ Billacois, *Le Duel*, chap. 13.

¹²⁴ J. Farr, 'The death of a judge: performance, honor and legitimacy in seventeenth-century France', *Journal of Modern History*, 75 (2003), 4.

¹²⁵ Jean Durant *écuyer* had confessed to twenty homicides and was executed at Poitiers in 1575; Jean de la Magnière *écuyer* was executed for homicide in 1594; Antoine de Stinville *écuyer* was executed for an unknown crime in Paris in 1627; Louis Guerin had killed his former master; Jacques Lamy *écuyer*, a Protestant, was broken on the wheel in Paris in 1618; René Couesnon *écuyer* had been convicted of affray while the host was on the altar, but his sentence was reduced to decapitation in 1634.

was also a factor in sentencing. A member of the Fumée, an important office-holding lineage, was garotted before being broken on the wheel for the seemingly banal crime of attempted murder. He was however only an esquire; his intended victim a knight and gentleman of the privy chamber.¹²⁶ Earlier, galley service was more likely to be used. During the Wars of Religion thirteen noblemen were sentenced to the galleys by the Parlement of Paris for between five years and life, usually in commutation of the death penalty, while two appeals against galley service were upheld. Evidence from the first half of the seventeenth century suggests a decline in its use: ten appeals were upheld and eight sentences imposed, including two on charges of treason.¹²⁷ By 1666 Gabriel de Tintry's sentence of three years was deemed 'quite extraordinary'.¹²⁸ The galleys were now deemed only appropriate for those without honour—smugglers, vagabonds, and deserters. For men of status financial reparation was more seemly, although Julian Colin had to spend some weeks on the chain gang heading for Marseille before he was released on payment of 1,200 *livres*.¹²⁹

The wide variation in penalties applied by the judges for similar crimes is to be explained by the development of jurisprudence that placed great emphasis on the discretion of the judges in sentencing (*justice arbitraire*). This ensured that sentencing fitted the particular crime. During the sixteenth and seventeenth centuries death sentences for homicide were increasingly commuted to lesser punishments. This was in many ways an enlightened system but its operation was inevitably influenced by social prejudice, enabling judges to avoid issuing a sentence that was socially distasteful or politically sensitive. In July 1645 the intendant of the *généralité* of Rouen arrested a gentlemen for murder and rape:

All the courts and the town, indeed all the province, are expecting a great example . . . but [the judges] his kinsmen and confreres did not opine on life and death, but only how to pronounce . . . in his favour and conserve the life, honour and possessions of the accused . . . This sentence has angered all men of standing and I have complained infinitely about the officers who are educated in this bad school of discretionary sentences.¹³⁰

In addition to the familial and political pressures on a judge, there was an ideological factor that made judges reluctant to impose the full force of the law. As a 1617 treatise pointed out, the nobility and the law were locked in a great 'lawsuit': 'Nobility says that a Gentleman whose honour is offended must lose his life or repair it with his sword. Justice on the contrary, that a gentleman who [draws] his sword to repair his honour must lose his life.'¹³¹ Judges were caught in the middle and it behoved them to use their discretion towards men of honour acting in accordance with the profession of arms.

¹²⁶ AN V3 85, Jan. 1580. See also Le Riche and Le Riche, *Journal*, 224; APP AB 11 fo. 155^v, 26 Sept. 1594; 23 fo. 135, 8 Mar. 1618; 28 fo. 230, 16 Dec. 1627; Imbert, 'Les Grands Jours de Poitou', 259.

¹²⁷ See bibliography for a list of the years of the Archives de la Préfecture de Police surveyed.

¹²⁸ AN U 749 fo. 539.

¹²⁹ APP AB 21 fo. 316, 27 Sept. 1614.

¹³⁰ Lublinskaya (ed.), *Lettres et mémoires adressés au chancelier Séguier*, ii. 77.

¹³¹ *Le Vray et ancien usage des duels*, dedication.

The condemned gentleman therefore posed a particular problem for the authorities. The spectacle of execution required the principal actor to submit to a good death, thereby ensuring the ceremony was a paragon of justice and truth. He was encouraged by the judges' connivance in omitting unnecessary shaming rituals and by the priest and the court clerk, who accompanied the condemned in the hope of recording his confession. Anxieties about executing men of status sprang partly from the recognition that it could be counter-productive; for they might refuse the script they were given and set a bad example to the masses. Those unjustly condemned, as they saw it, for defending their honour, had a final opportunity to play to the crowd and vindicate themselves for posterity, heap calumny on their enemies, or even scream vengeance. Bertrand Frotté in 1582, Anne de Rivière in 1618, and Hubert de More in 1658 refused to confess on the scaffold—they had after all only killed men of lower social status than themselves.¹³² In 1607 great pressure was put on Louis de Saint-Aubin to admit to the 'great number of murders and homicides' he had committed, 'that he should search his conscience, and that having examined it with his confessor it will be hoped that he would keep to words other than those usually employed by the condemned in their defence, and very soon God will touch his heart to reveal his most hidden ways and means and therein will be hope for him'. Saint-Aubin admitted to killing a peasant but maintained his silence on the most serious charges and he refused to kneel for sentencing. He could not be trusted to go to the scaffold as a penitent and was transported in a cart.¹³³ Worse still, one of his lackeys, executed one month previously, had repeatedly screamed vengeance as the executioner smashed his limbs and placed his body on the wheel. The worried clerk hurried to put an end to this unedifying spectacle, admonishing him 'in the time he had left he should not use words of vengeance but ask for mercy and forgiveness from God and from his enemies'. To which the lackey shouted 'that his accusers merited death more than him . . . that they had wished him to testify against [his master] who is a gentlemen and man of worth . . . that they had put him where he was and begged any gentlemen of his acquaintance in the crowd to warn him'. His torment finally forced him to compromise, admitting only that he had stabbed a man and asking for forgiveness; 'not being able to get another word out of him [and] seeing that he had changed his tune he was strangled according to the sentence.'¹³⁴

Exemplary corporal punishment therefore had to be used judiciously if it was to contribute rather than to undermine greater public order. Perhaps surprisingly there is little evidence of rescue attempts on the scaffold. Security was especially tight for showpiece executions and the large crowds made escape difficult.¹³⁵ Public order was more likely to be disturbed by a botched execution than unnecessarily shamed and degraded the man of honour. At Angers in 1572 the executioner

¹³² AN X2b 1175, 11 July 1582; 1182, 1 Apr. 1618; 1250, 19 July 1658.

¹³³ AN X2b 1330, 23 May 1607; l'Estoile, *Journal pour le règne de Henri IV*, ii. 245.

¹³⁴ Ibid., 5 Apr. 1607.

¹³⁵ BN MS Fr 18344 fo. 50^v, 22 Sept. 1552.

was unable to behead the condemned man cleanly and he had to be dispatched like 'a sheep by a pedlar with a knife'. A riot ensued.¹³⁶ Moreover, though it sated the demand for revenge on one side, corporal punishment did not necessarily bring feuds to end.¹³⁷ The most serious threat to royal authority came from the exposure of the failings of the judicial system. In a procedure where a successful outcome depended so much on patronage and money the family of the executed man had ample opportunity to rehabilitate his memory. Their motives were less to do with exposing the failings of the criminal justice system than the requirement to protect honour and patrimony. This explains why the crown sought to mollify resentment, often waiving stipulations that deprived the victim of a proper burial and confiscated his property. The most high-profile miscarriage of justice occurred in 1663 when François de la Broue *chevalier* was executed for the assassination of the marquis de Fors, largely at the behest of his political enemies at court. When the real murderer was arrested and confessed some time later Louis XIV acted immediately to repair the damage to his authority. He showered the dead man's posthumous son with favours, signed his marriage contract, and presented the family with a valuable image of Christ as a symbol of reconciliation.¹³⁸

CONCLUSION

The law was not an alternative to violence; it was a parallel option in vindictory exchanges. The right to violence was by no means relinquished during the legal process and in any protracted feud the parties were likely to be fighting multiple suits. Pierre de l'Estoile's belief that 'at this time (1579) lawsuits and feuds were thus mixed up without any judicial formality by the connivance and laxity of the king and magistrates' is also true of the first half of the seventeenth century.¹³⁹ The bloodletting which left the vicomte de Trelans, his two sons, and twenty servants dead in 1666 originated in a forty-two-year-old lawsuit which had become complicated by various counter-suits: their enemies had obtained sixty judgements against them, including a court order to seize the château of Trelans and four separate death sentences.¹⁴⁰ The duel offered a swift resolution to interminable and costly lawsuits.

Law courts were annexes of the forum of honour, where insults could be publicized and reputation evaluated. It was not only in lawyers' pleas that verbal duels took place. The law court was the only serious rival to the church for a symbolic act of defiance; here was an environment where one could not avoid one's enemy and where an unsuspecting enemy was likely to be unarmed and off guard.

¹³⁶ Louvet, 'Journal', pt. 2, 5 June 1572. See also Haton, *Mémoires*, ii. 427.

¹³⁷ AN X2b 1194, 28 Aug. 1630; 1198, 10, 15, and 17 July 1632.

¹³⁸ Beauchet-Filleau, *Dictionnaire historique*, i. 25.

¹³⁹ *Registre-journal*, iii. 27.

¹⁴⁰ AD Haute Garonne B 92 M fo. 142, 27 Oct. 1666.

Guillaume d'Anzeray's clash with his enemy outside the grand chamber of the Parlement of Paris quickly developed into a verbal duel in which d'Anzeray attested to his status by proclaiming that his mother was godmother of the duchesse de Nemours, to which his enemy replied that 'his father was just a quartermaster, and that he did not know where he was buried, and his mother was a beggar plucked from the street to be godmother to the lady'; this had the desired effect and Anzeray made death threats that concluded with his arrest and interrogation.¹⁴¹ Anzeray's social status was suspect because he was not carrying a sword, causing him to be challenged by a bailiff. Plaintiffs of higher status, untroubled by their origins, were confident that their right to violence extended to the courts themselves: in 1663 the marquis de Sauvebeuf and the seigneur de Lyerville fought a duel in the courtyard of the Parlement in Paris. Lyerville was killed.¹⁴²

It comes as no surprise to discover that the early modern French criminal justice system reflected the social hierarchy and was heavily weighted in favour of those with prestige and power. At every stage the legal process was shaped by social and cultural assumptions. Men were not equal before the law. The trial and execution of president Philippe Giroux encapsulates these issues succinctly.¹⁴³ The Parlement of Dijon deliberated whether to question Giroux, one of their colleagues accused of murdering his first cousin, on the three-legged stool (*sellette*) as a common criminal and thus subject him to unnecessary shame. Finally, they agreed upon a specially crafted, four-legged armless chair taller than the ordinary stool, and they even had it placed upon a carpet rather than the bare floor and positioned it closer to the judges' bench than the normal *sellette* would have been. Patronage loaded the scales of justice: Giroux was left at the mercy of his enemies when he was dropped by his patron, the prince de Condé. The ritual of punishment was a compromise between the requirement for an edifying spectacle and the desire of the condemned to avoid shame: Giroux refused to confess but otherwise performed his penance and died a Christian and noble death. The crown also had an interest in attenuating the shame attached to the execution of the honourable: Giroux was simply decapitated and did not undergo a humiliating or excruciating punishment, his corpse was not displayed on a gibbet, and his confiscated property returned to his family—all of which ensured that they were untainted and that their recriminations would be confined to the private sphere. Justice was thus seen to be done, but the family saved face and a potentially divisive situation was avoided.

¹⁴¹ AN X2b 1187, 27 May 1625.

¹⁴² J. Jobert, *Recherche du privilège des nobles pour le jugement de leurs procez crimineles en la Grand Chambre* (Paris, 1663).

¹⁴³ Farr, 'The death of a judge'.

9

Peace

The law was feared but widely despised, and not just because of its inefficiency and cost: peace was a Christian obligation and litigation best avoided.¹ One commentator went as far as to call a 'plaintiff the defamer of the Gospels'.² Repression had its limits and the law maintained order by promoting equilibrium: mediation and arbitration were encouraged by the ubiquity of royal letters of pardon. Mercy was a sovereign duty and a pillar of royal authority.

PARDONS AND REMISSIONS

The letter of remission is a generic term used indiscriminately by contemporaries and historians alike. In fact the term covers two categories of document. Letters of remission proper were issued by the petty chanceries attached to Parlements for minor crimes and cases of accidental death and self-defence. These were a cheaper, more formulaic, and more accessible option for the majority of the king's subjects. Secondly, there were pardons or *abolitions* issued by the grand chancery under the aegis of the chancellor, acting in the name of the king, although by the sixteenth century few were signed by the king; their force, represented by the Great Seal, was much greater for they had sovereign power to quash sentences and keep civil damages to a minimum. This was especially important with regard to acts that were technically irremissible. For example, in 1556 Baptiste de Castellane obtained letters of abolition signed by the king, marshal Brissac, and a master of requests in which he admitted ambushing and butchering his enemy with malice aforethought and quashing a sentence of breaking on the wheel and 30,000 *livres* damages.³ Since it permitted a fuller confession, the spiritual dimensions of the pardon as opposed to the remission should not be underestimated. A plea on behalf of the bastard of Bourbon in 1487 makes the distinction clear between letters 'issued customarily every day' which could be challenged in court by the

¹ This chapter complements and expands on my *Past & Present* article 'The peace in the feud in sixteenth and seventeenth century France', which should be consulted on the wider theological and intellectual issues.

² La Roche, *L'Arbitre charitable*, epistle.

³ AN JJ 261/1 fo. 409, Oct. 1556.

king's procurator or the opposing party and those issued 'when the king makes an entry into town and delivers prisoners during the festivities' which are unimpeachable and cannot be challenged.⁴ This applied a century later on 5 March 1571 when, at the entry of the king and queen into Paris, forty nobles were among hundreds who entered the conciergerie prison; they were released the following day with their pardons without any stipulations attached. In only one case were there reservations, and that because of the power of the victim's family. The murderers of Louis de Vieuxpont *chevalier* were detained until they had paid 50,000 *livres* in civil damages and 500 *livres* in alms.⁵

Much has been written about the content of pardon letters, but the context in which they were issued was also significant. Remissions were issued to individual supplicants, whereas pardons were often issued in a general amnesty as part of a dramatic demonstration of the sovereign power of the king. In the wake of civil wars general issues of letters of pardon and abolition cemented pacification. More commonly, the king would open prisons or issue a general amnesty to mark a special occasion—equivalent to a papal jubilee. This could be at his coronation, marriage, or at a royal entry when the prisons were opened by a master of requests and prisoners 'confessed orally, confirming the truth of the case in writing'.⁶ Selected prisoners in the conciergerie were released at Christmas 1485 and the following Easter and All Saints Day. To commemorate the birth of the dauphin in 1638 Louis XIII ordered the opening of the prisons and permitted any person accused of both 'non heinous (*atroces*) and irremissible crimes' to apply for letters with the Great Seal.⁷ These were staged events. Every time the king entered a town for the first time hundreds, possibly thousands, of people would descend on the prison in the hope of obtaining a pardon. This process differed from regular sittings of the Great Chancery, where the chancellor, or one of his lieutenants, could scrutinize tales and maintain control of the process. The sheer numbers of supplicants at extraordinary events rendered this impossible. At the coronation of Louis XIV over seven days more than 1,500 people were 'interrogated by messieurs the masters of requests, monsieur the first almoner present, sitting at the end the table as [the prisoners] were released from prison'.⁸ Each prisoner then signed a short summary of his pardon tale, which acted as a certificate of imprisonment and permitted him to receive his letters of pardon. The large numbers of men processed in such a short time meant that there was little chance of real scrutiny: at least twenty letters of pardon were issued to noblemen for duels only three years after the latest stringent royal edict. Others are remarkably frank and make little attempt to cover their tales of revenge as acts of self-defence. One is left with the impression that the Great Seal, symbolic of royal authority, affixed to the pardon was as important as its content. Abuses troubled Louis XIV, and at his marriage ceremony in 1661 a determined effort was made to excise duellists from the pardon rolls.

⁴ BN MS Fr 18343 fo. 119^v, 26 Nov. 1487.

⁵ APP AB 3 fos. 300–1, 5 Mar. 1571.

⁶ BN MS Fr 18342 fo. 398.

⁷ BN MS Fr 18342 fo. 376, 25 Dec. 1485; *Mercure*, xii. 338.

⁸ BN NA Fr 21709–12.

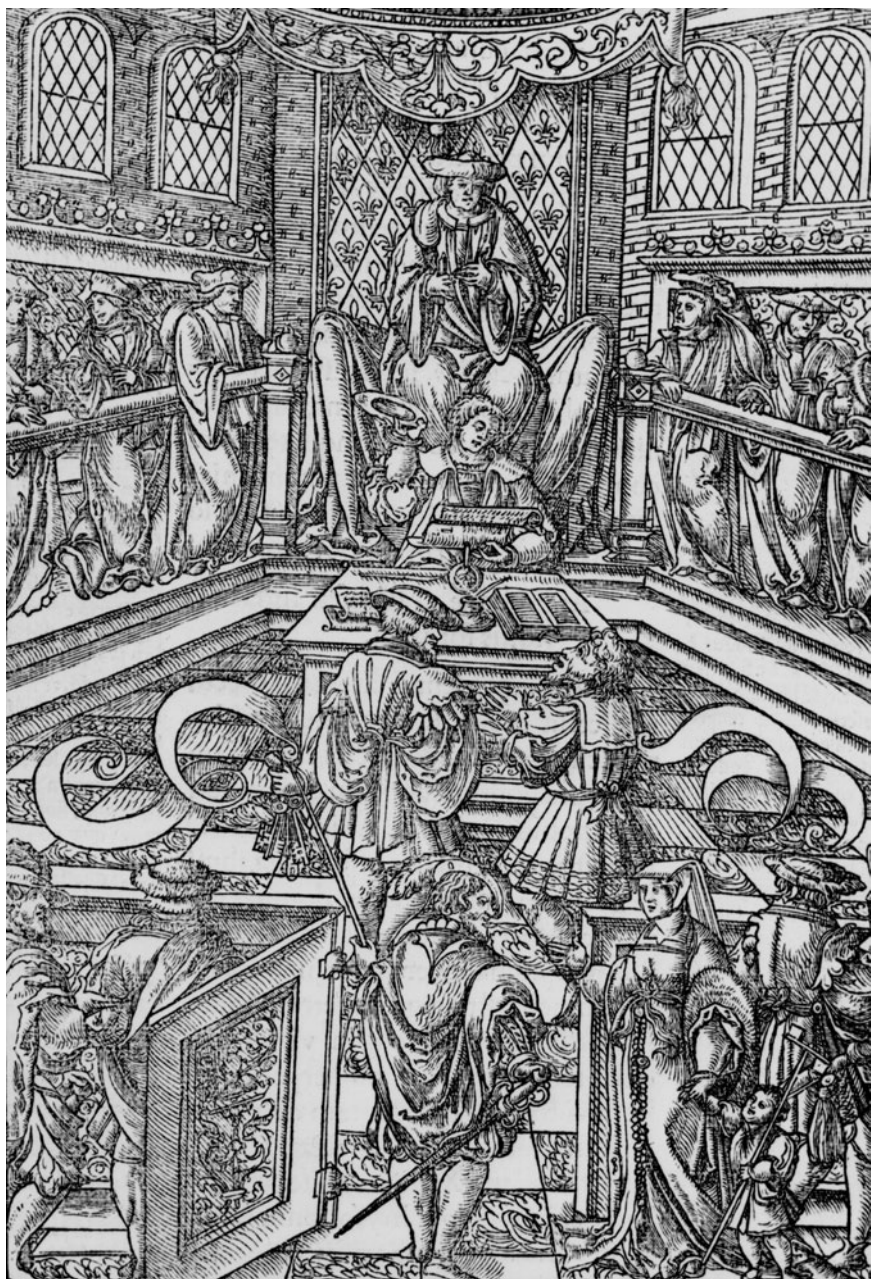


FIG 9.1. A supplicant presents his letters of remission to the court. From Jean Milles de Souvigny, *Praxis Criminis Persequendi* (Paris, 1541). By permission of the Warden and Fellows of Merton College, Oxford.

Once obtained, letters of any sort had to be registered at a royal court, which could only be done once the issue of civil damages had been settled. The registration process highlights once again the difference between letters of remission and letters of pardon. Courts were supposed to verify letters of remission by examining witnesses, but since peasants did not have the wherewithal to challenge them this process was more often associated with cases of elite violence, making the possession of the Great Seal more significant. The greater force of the latter is revealed by the case of Mathurin d'Appelvoisin. He at first obtained only letters of remission for homicide but these still left him open to corporal punishment and heavy reparations that threatened his honour as well as his possessions. At the accession of Louis XI he obtained further letters of abolition which permitted him to be franker about the murder he had committed. A lawsuit now ensued over which letters he should present, his adversary insisting that he present the original 'weaker' version.⁹ The distinction between supplicants of different social classes was made even clearer in the sixteenth century when the principle that gentlemen should present their letters to the Parlements for registration became established. This was partly due to the abuses that occurred in subaltern courts, but was also a recognition that noble letters of remission required greater scrutiny and were more likely to be challenged.

Table 9.1 outlines the fate of noble prisoners who entered the Paris conciergerie with letters of remission. Superficially, the more frequent use of banishment suggests a toughening of the Parlement's stance following the Wars of Religion. Banishments varied widely from six months from the immediate jurisdiction in which the crime was committed and nominal civil reparations to banishment from the kingdom with swingeing fines. This policy began during the reign of Henri IV and is associated with pacification after the Wars of Religion, removing people from a locality for one or two years in order to allow peace to take root. In the majority of cases the shameful word 'banishment' was replaced by the more emollient 'abstention'. However, it is also true that these 'abstentions' were often issued along with civil damages, sometimes heavy. This was in line with the wider policy during the seventeenth century of imposing some form of financial reparation on almost all supplicants. Nevertheless, heavy damages of more than 1,000 *livres* remained rare and indicate a victim of high status. Because such a large proportion of supplicants were sent back to the provinces to register their letters we cannot be sure that banishment or corporal punishment was not widely used in the sixteenth century too. The decision to examine many more supplicants in the seventeenth century supports the assumption that the Parlement was increasing its power and authority at the expense of lesser jurisdictions. Holders of letters of pardon during the whole of this period were very rarely subject to corporal punishment. A sentence of service in the royal army at one's expense was in many ways akin to banishment: a posting to the garrison of Metz was a favoured place, and

⁹ AN X2a 32 fo. 72, 6 May 1462.

Table 9.1 The fate of noble letters of remission presented to the Paris Parlement, 1564–1660

Dates	Prisoner sent back to subaltern jurisdiction	Registered without stipulations	Nominal alms and reparations: <100 <i>livres</i>	Alms and reparations 101–999 <i>livres</i>	Alms and reparations >1,000 <i>livres</i>	Banishment + reparations	Corporal punishment	Royal service + reparations	Unknown/ Released/	Total
1564–99	62 (33.5%)	52 (28.1%)	15 (8%)	18 (9%)	9 (5%)	10 (5%)	1 decapitation	1	17 (9%)	185
1600–60	14 (8.5%)	5 (3%)	17 (10%)	27 (16.5%)	7 (4%)	54 (33%)	1 decapitation & 1 galley service	5 (3%)	34 ^a (21%)	164

^a Includes one escapee.

certainly better than a posting to Scotland or the pardon issued to Gabriel Martel by Queen Eléonore in 1531 that remitted the death penalty on registration on condition that he go to the 'lands of the Indies and Brazil to live and remain to converse and introduce the people to the Catholic faith, learning and working to discover the arts and industries of those countries to teach and show our subjects when they travel there'.¹⁰

The centralization of the power to remit punishments had a much older history. The decline of the great feudatories and the establishment of provincial chanceries attached to the Parlements hugely increased the mediating role of French kings in provincial society at the end of the fifteenth century. In his study of Auvergnat pardon tales, Pierre Charbonnier has suggested another important evolution, noticing a rise of crimes involving honour from 2 per cent at the end of the fifteenth century to 18 per cent during the reign of François I.¹¹ In the late Middle Ages pardon tales of revenge were rarer. The change can be quantified: for the decade of the 1490s there are twenty-one letters of remission covering acts of vindictory violence committed by nobles, rising to seventy-one for the 1530s, including twenty-seven duels. These figures do not tell us that the French nobility was more violent in the sixteenth century. Partly this reflects the spread of duelling. But on the whole it shows that nobles were having greater recourse to the king in their quarrels. The end of Bourbon power in the Auvergne after the revolt of duke Charles in 1523 is reflected in Charbonnier's figures: supplicants turned to Paris rather than to Moulins to have their disputes terminated.

The king's power, though preponderant, was not a monopoly. Other members of the royal family, notably queens and the dauphin, enjoyed rights. More unusually, on his visit to France in 1538 emperor Charles V issued letters when he entered the town of Aigues Mortes.¹² At Orléans, the bishop claimed the right to open the town prison and issue letters of remission on his accession. The crown contested this division of its sovereignty and at the Parlement of Paris the holders of these letters registered them with difficulty.¹³ Equally controversial, but of incontestable legitimacy, was the privilege of Saint-Romain, the right granted by Dagobert II to the chapter of Rouen cathedral to pardon annually one condemned murderer. Although insignificant in terms of overall numbers, this institution was of immense importance not only because as a religious ceremony the pardon tale of the victim was a frank and full confession, but also because after 1500 it became a symbol of the struggle between crown and aristocracy over the control of the king's grace. On the one hand, the privilege was a last chance for men denied royal pardons and the canons were subjected to intense pressure. On the other hand, the crown wished to assert its monopoly on pardons and

¹⁰ AN JJ 246 fo. 79^v, May 1533.

¹¹ P. Charbonnier, *Une autre France: la seigneurie rurale en Basse-Auvergne du XIV^e au XVI^e siècle*, 2 vols. (Clermont-Ferrand: Institut d'Études du Massif Central, 1980), ii. 928.

¹² AN JJ 263/1 fo. 108^v, Mar. 1556.

¹³ Loys Servin, *Plaidoyez*, 3 vols. (Paris, 1603), iii. 28.

became concerned about the abuses committed by the chapter. In the fifteenth century these problems had not yet occurred: the choice was made largely on spiritual grounds and fell to virtuous locals of low status. The first clearly identifiable nobleman was elected in 1501 and they gradually came to dominate, a growing number coming from outside Normandy: for thirty-nine years of the sixteenth century the candidate was a nobleman, rising to sixty-five in the seventeenth century, largely in line with the rise of duelling, before falling off dramatically in the eighteenth to fifteen. Once again, these figures do not suggest that the Middle Ages were free of noble malefactors. On the contrary, we are witnessing the same process as we encountered with royal letters of remission: the success of the criminal justice system, not in punishing nobles, but in forcing them to the king's justice and pardon. With so many supplicants each year the privilege became an intensely political event as princes and aristocrats competed to favour their clients and block their enemies. Even the pope got involved.¹⁴ The result was that many unsuitable candidates—convicted duellists and avengers—unable to obtain or register royal pardons were elected, sometimes with the connivance of members of the royal family. In 1621 the election of members of the Gadagne family to the privilege ten years after they had killed the comte de Charlus provoked bitter divisions in the royal council. Louis XIII had forbidden them pardon but they had the support of the queen mother and finally in July 1622 a compromise was accepted in which they would enjoy the privilege 'for the surety of their lives and persons only' on condition that they did not return to court or to the Bourbonnais. This was a step towards rehabilitation and in 1634 Claude de Gadagne finally registered royal letters of remission, having quitted his portion of the civil damages.¹⁵

The politicization of the election process inevitably troubled public order. Crowds would gather in the city on the eve of the ceremony to support or abuse the candidate. The election of Hector de Barville in 1603 provoked outrage among the families of his victims, one of whom had been horribly mutilated. The Parlement of Rouen was opposed even though the king and the cardinal-archbishop of Rouen had written in his favour. After the ceremony his enemies tried to arrest him and he was saved only by the intervention of the archbishop.¹⁶ Disturbed by these events Henri IV forbade the election of those convicted of ambush or assassination. But this did not prevent the number of scandalous candidates from growing, including the notorious chevalier d'Andrieux in 1632.¹⁷ Initially, under Louis XIV abuses continued. In 1663 the election of Jean de Bouton, who had murdered his brother, outraged the Parlement of Rouen, which saw the privilege as a threat to its authority, and he was tried *in absentia*. However, in 1672 the Grand Conseil quashed the sentence and upheld his

¹⁴ AD Seine-Maritime G 3497, 28 Aug. 1580. Letter of Gregory XIII.

¹⁵ Floquet, i. 522; Siméon, *Archives du château de Lérans*, 502.

¹⁷ *Ibid.*, i. 544.

¹⁶ Floquet, ii. 447.

election. This presaged greater scrutiny of the canons: in 1669 the king refused to accept another assassin; in 1685 the privilege was denied to the seigneur de Calmesnil, even though he had 'merely' beaten a witch to death; in 1698 no one suitable could be found at all.¹⁸ The aristocratic abuse of the privilege had been broken.

The holder of letters of remission had immediate relief from criminal proceedings, which were suspended. Some did not bother registering their letters at all, but this was risky.¹⁹ The rapid registration of the letters depended on the opposition. Unless the victim's family possessed substantial resources the scrutiny of pardons was cursory. Those with resources, as in the la Broue-Raymond case, could make it uncomfortable for the supplicant, ultimately forcing them to change their story and apply for new letters. Exceptionally, Claude de Bigny had to wait fourteen years and revise his tale several times before his letters were finally registered, by which time there were legal difficulties due to the fact that the witnesses had since died.²⁰ Lawyers were engaged from the beginning in drawing up the letters and had a vested interest in making successful challenges. Lawsuits were not decided simply on legal technicalities but revolved around issues of honour; demonstrating that one acted according to the precepts of honour and was of higher status than one's opponent had repercussions that went beyond the courtroom. The comte de la Rocheaymon, opposing registration of the Duron de Segonzac's pardon, was reminded by his council to send certificates of his murdered nephew's nobility and proof that the Segonzac were upstarts, thus demonstrating why his nephew had refused a duel.²¹ 'Several friends' of Jean de Ferrières-Sauvebeuf scrutinized a draft of his letters, urging him to get supporting documentation critical of his victim and to prepare thoroughly for hostile witnesses.²² It was important not to be caught out like Jean de Prunelé who ill-advisedly presented letters that were palpably false: 'he could not remember the truth or even where he was at the time of the fight.' He would have been beheaded had he not obtained fresh letters.²³ If registered at a lesser court, letters were still subject to appeal. The widow of Antoine de Saint-Mary objected when the *bailli* of Vitry registered letters that said her spouse had led a 'bad life, and [had been] of quarrelsome and troublesome conversation, vindictive, and an executor of threats and vengeance'. Her adversary was unable to justify these claims on appeal. The outcome was a typical compromise: his fresh letters were registered at the Parlement which restored the victim's honour and stated that he had been run through three or four times while prostrate.²⁴ It was also possible to get letters of pardon downgraded into letters of remission.²⁵

¹⁸ Ibid., ii. 40, 78–90.

¹⁹ AN JJ 227 fo. 265, May 1497; 239 fo. 24^v, May 1526.

²⁰ AN X2a 86, 4 Dec. 1535.

²¹ AD Creuse E 403, 27 Oct. 1669.

²² BN Clairambault 901 fos. 205, 207.

²³ AN JJ 247 fo. 161, 8 Aug. 1534.

²⁴ AN JJ 261/1 fo. 280, July 1556.

²⁵ *Inventaire des arrêts du conseil privé*, no. 223.

THE SETTLEMENT PROCESS

Reconciliation was part of the fabric of justice. Courts routinely issued arbitration sentences, though not in cases of murder, which could only be settled by letters of remission. Cases were drawn out in order to give opportunities for reconciliation, during which time the opposing parties might be under royal safeguard or post surety for their opponent. This state of limbo could go on for years.²⁶ The ubiquity of remissions and the elusiveness of a definitive judgement meant that the best a victim's family could hope for was to hound their prey through the courts, challenge the registration of his letters, and force the maximum level of civil damages. By itself this was unlikely to result in lasting peace. Christian sentiment and community and kinship pressures created a logic that fostered amicable settlement. A body of conduct literature flourished and built on custom, advising the gentlemen on the best methods to use, what to say in forgiveness, and provided pro forma satisfactions; it stressed the obligation on the virtuous gentleman to make peace. Peace did not emerge organically from an idealized self-regulating community; it was rooted in power relationships. Between rough equals there was a logic of compromise deriving from the desire of the community for equilibrium and harmony. Between parties of differing social status a power mechanism operated in which acts of violence by the stronger party were legitimized through the payment of compensation and rituals of reconciliation. Peasants had first to suffer physical abuse and then submit to a 'compromise' that sealed their subjugation.²⁷

The arbitration process might be tortuous and was a sort of limbo between the states of peace and enmity. Claude de Saint-Étienne shouted to his brother as he drew his sword that 'they were at arbitration and must not fight'.²⁸ The 'pax' established between Lannoy and Ancel in 1433 stipulated that they should not frequent the same places, but the latter's visit to the tavern was taken as a signal that 'he had broken the peace'.²⁹ Peace was not always conducted in accordance with Christian sentiment. The chevalier de Segonzac threatened 'to burn and slaughter all the kindred and inhabitants of Aubusson in their beds if they did not come to a settlement'.³⁰ It took two to make peace. Briand de Châteaubriand's first offers were spurned by his cousin 'who sought not at all his amity and wished to leave things such as they were'. A subsequent delegation, charged with 'nourishing peace and amity', was informed that his cousin's counsel was against peace.³¹ Peace negotiations, like public displays of enmity, affected more than just the

²⁶ AN JJ 196 fo. 131, 1470. For a settlement overseen by the chancellor in the Grand Conseil: AN V5 1043*, 5 June 1505.

²⁸ AN JJ 264 fo. 83, Feb. 1566.

³⁰ AD Creuse E 223, 4 Oct. 1652. See also AN X2b 1194, 30 Aug. 1630.

³¹ AN JJ 263/2 fo. 179, June 1565.

²⁷ Carroll, 'The peace in the feud', 105–6.

²⁹ AN JJ 199 fo. 61^v, Feb. 1464.

interested parties. In smaller towns, particularly tense negotiations could even disrupt daily life. For three days in January 1575 the inhabitants of Provins had to endure endless squabbles in the streets between rival families and their retinues lodged at opposite ends of the town.³²

Peacemaking between equals was serendipitous. However, the authority and charisma of mediators undoubtedly contributed to a more rapid and lasting settlement. Some individuals possessed both qualities. Magnanimity was a traditional trait of Christian kingship and Henri IV displayed it in abundance. He was keenly involved in the problem of dispute settlement after the Wars of Religion. He presided over reconciliations and intervened to nip quarrels in the bud, writing to the constable in February 1598 to reconcile Pompignan and Montespan quickly before it caused 'an infinity of others'.³³ In 1599 he drew up in his own hand the words that the prince de Joinville would say in order to satisfy the *grand écuyer* Bellegarde.³⁴ Charisma was not a property confined to the great and the good. Peacemakers were much appreciated and integral to the functioning of local society. In the Cotentin Gilles de Gouberville was a man of peaceful disposition, sought out by nobles and commoners alike to help them. The role was not exclusively masculine. René Mesnard *chevalier* and Bernarde de Puy-Giraud were a husband and wife team from Poitou: 'when someone had been offended by someone else, in body, honour or goods, the lord and his lady did justice, resolving it amicably and speaking softly to them, without pride.'³⁵

At every level of society there were forums that oversaw reconciliation. The most elevated of these was the privy council where the king would intervene personally to liquidate disputes among his greatest subjects. Peace between Gramont and la Force was enacted in the council, where the two enemies swore to uphold it and exchanged a kiss of peace. Nobles were more commonly referred to the court of the constable who was as much a peacemaker as a warmaker. Fragmentary survivals allow us to see this court in operation from the end of the fifteenth century.³⁶ The court had the power to settle the full panoply of vindictory exchanges—insults, duels, hunting disputes, affray, precedence in churches, lawsuits—and impose civil damages. The parties could be summoned to Paris for a personal hearing and a ceremony of reconciliation held in front of the constable, the marshals, and other *grandeues*, occasionally in the presence of the king himself. After the suppression of the office of constable in 1627 the court continued to operate under the aegis of the marshals, although in the most serious cases the minister of war would lend his authority, as in the dispute between the duc d'Elbeuf, governor of Picardy, and the marquis de Villequier, governor of the Boulonnais, whose rivalry in this region spilled over into the streets of Paris in

³² Haton, *Mémoires*, iii. 207.

³³ BN MS Fr 3583 fo. 74, 22 Feb. 1598; 3461 fo. 22^v, 11 Feb. 1608.

³⁴ *Ibid.*, fo. 3, 1599.

³⁵ A. de la Fontonelle de Vaudoré (ed.), *Chroniques fontenaisiennes* (Fontenay le Comte, 1841), 34–5.

³⁶ BN MS 3583, 3585, 3461; MS Clairambault 901.

August 1658. The king evoked the case from the Parlement to the marshals and a settlement was passed in the presence of the minister of war in 1663.³⁷

Calls for provincial tribunals composed of expert arbiters followed the experiences of the Wars of Religion. The crown responded by reaffirming the role of the marshals whose powers had been eroded by the provincial governors. In order to control the spread of duelling the king ordered in 1609 that all affairs of honour should be referred to the constable and marshals and in their absence to the provincial governors or their lieutenants.³⁸ In 1643 the power of the marshals was expanded and a tiny permanent establishment of lieutenants (four) and archers (twenty) set up to police affairs of honour. In 1658 these were supplemented by two sergeants in every royal jurisdiction.³⁹ This inevitably led to jurisdictional conflicts between the governors and the marshals, and the authority of the latter was only finally confirmed with the establishment of provincial lieutenants of the marshals in 1693.⁴⁰ Until then, much depended on the diligence and charisma of the provincial governor. The unceasing friction and jostling for advantage among provincial nobles required active lordship and constant vigilance. Nowhere was this more necessary than the Upper Auvergne in the aftermath of the religious wars, where the accords drawn up by the governor, Henri de Noailles, attest to the mundane duty of the governor to settle affairs of honour and disputes over feudal rights. Hearing the evidence in person, he had to decide where the balance of blame lay and draw up a satisfaction, often in his own hand, that left the honour of both parties intact. He presided over the reconciliation ceremony in the presence of local notables, although in 1612 he was assisted by two royal emissaries in a dispute over church honours that had resulted in bloodshed.⁴¹

Governors did not have a monopoly on power in the provinces and they competed with magnates. The marshals might delegate their responsibilities to local expertise. Chazeron and Clervaux were forbidden to quarrel or go to law and were summoned for a personal audience with Henri IV in 1608. He sent the case to the constable who in turn chose three nobles to judge it, confining Clervaux, who had received a challenge, under house arrest.⁴² Coalitions of local men might also intervene, a system that worked better in peacetime. The Catholic League exploited the deep desire for union and peace among Catholics. There were bipartisan approaches too. On 15 May 1588 a treaty was signed between the most significant Protestant and Catholic families of the Upper Auvergne renouncing private war and brigandage: 'All these lords swore to live in good neighbourliness and not to take up arms even if the war becomes general throughout the kingdom.' A cross-confessional marriage alliance was concluded between the two leading families of the rival groups with a 4,000-*écu* indemnity levied on all nobles

³⁷ A. Hamy, *Essai sur les ducs d'Aumont gouverneurs du Boulonnais, 1622-1789* (Boulogne: Hamain, 1906-7), 449-62.

³⁸ BN MS Fr 3583 fo. 66.

³⁹ Cuenin, *Le Duel sous l'Ancien Régime*, 132, 180.

⁴⁰ H. Pierquin, *La Jurisdiction du point d'honneur sous l'Ancien Régime* (Paris: Picard, 1904).

⁴¹ BN MS Fr 21810 fo. 31, 3 Feb. 1612.

⁴² BN MS Fr 3461 fo. 22^v.

payable to the Protestants.⁴³ It was a spontaneous movement—presaging similar movements that sprang up in the wake of the Frondes—that was swept away in the cataclysm engulfing France later that year when the king had the Guise brothers murdered.

Parish priests, the principle peacemakers for the vast majority of Frenchmen, had less authority with the nobility. As the curé of Lalande-en-Son in the Vexin put it to one of his parishioners who begged him to intervene in a dispute in 1657:

you cannot ignore the fact that this is not the affair of a man of my profession and I cannot and must not involve myself in an affair of this nature. There are gentlemen in this region who are more fit and who should be employed in this capacity. I therefore beg you to dispense me, recalling that I and a monk of the abbey of Saint-Genes have already tried once and failed.⁴⁴

Salvation however required the services of a priest. Though the priest of Saint-Vétérin in Anjou was unable to prevent a duel between cousins, he confessed and reconciled them as they lay dying. Both men were entombed together in the parish church and the memory of their reconciliation commemorated by a plaque.⁴⁵ As the quality of the priesthood improved during the seventeenth century their authority undoubtedly grew, but even bishops do not seem to have been particularly active or successful peacemakers. However they might be appreciated in a team. In 1474 branches of the Faudoas family agreed each to elect one noble, one lawyer, and one priest as arbiters with the abbot of Belleperche acting as the mediator. In addition, other nobles were elected to pledge caution.⁴⁶

During the Counter-Reformation however there were successful attempts to revive the priesthood's customary peacemaking role, following a tradition of secular conduct books that gave advice to mediators on the most efficacious ways to make peace. Alexandre de la Roche argued in 1668 that bishops, priests, and great lords should act only as mediators in disputes and never as arbiters. It seems that arbiters were commonly kinsmen identified with one of the parties: 'In the provinces and in many regions there is the bad custom of seeing the arbiter as one of the parties, and often with the same aversion, hatred, and insults.' Eighty per cent of failed accords were due to the arbiters, and he warned that the person selected to take the minutes should be watched with particular care: 'he who is master of the pen, is master of all.' Like godparents, arbiters had protective functions; they were there to negotiate but were also appointed to intimidate the opposing party and demonstrate the power of the kinship network. This aspect of lordship was condemned in a 1608 duelling treatise: 'it is a common occurrence that he who has a dispute with one greater than he will seek the favour of a great lord to support him.' Mediators, on the other hand, were ideally expected to be

⁴³ A. Douet, *Le Château de Saillans* (Saint-Flour: Roque, 1928), 126.

⁴⁴ AD Seine-Maritime G 5012, 22 Sept. 1657.

⁴⁵ <http://perso.club-internet.fr/genes/site%20patrimoine/bourasseau42.htm> (2003).

⁴⁶ J. Noulens, *Documents historiques sur la maison de Galard*, 4 vols. (Paris, 1871–4), ii, 486–7.

more neutral: to be a good mediator one needed to be have 'patience, prudence, directness and charity'. The mediator was ideally a go-between for the kinship groups.⁴⁷

The obstacles to a successful settlement were numerous and much depended on the authority of the mediator. Local knowledge could be offset by political interest. In Chapter 3 we discussed the precedence dispute in Saint-Paër church in Upper Normandy that led Guillaume Auber sieur de la Haye around 1580 to smash the arms of his neighbour Martin d'Espinay seigneur de Boisguérout.⁴⁸ The mediator, Jean de Moy, governor of Upper Normandy, faced a serious problem. Espinay was a kinsmen and ally on whose support he relied during volatile times. Auber, on the other hand, had powerful connections in the city of Rouen and its legal community. Espinay demanded humiliation of his enemy as satisfaction: that his arms should be replaced before Sunday mass with Auber holding the glazier's ladder; that he should ask pardon in front of the congregation which would be recorded on a plaque in the church; that Auber recognize his right to precedence and remove his pew; that he forfeit any lands he held from him in vassalage. Moy made significant attempts to tone down these demands: it was not customary to make artisans work on a Sunday and the presence of the congregation was not necessary; it was 'unreasonable to leave any writing in the church about the event for instead of nourishing and maintaining friendship . . . it would reopen a cause of hatred for them and their posterity'; the removal of the pew and seizure of lands was too rigorous. Moy proposed the customary route: he would draw up articles of satisfaction signed by himself and the arbiters; Auber would apologise leaving his honour intact, leaving it to Moy himself to nominate those invited to the ceremony.

Auber contemptuously rejected the proposals of his enemy as 'reparations due to kings and not to gentlemen'. He largely accepted the governor's proposals and suggested the following apology:

Milords, I admit that I was driven by vehement passion in the absence and without the knowledge of [Espinay sieur de] Boisguérout, I boldly and indiscreetly broke the windows of this church within which were the arms of the house of Boisguérout and their kin, which I should not nor could not honestly do and of which I repent and am extremely displeased. If he was troubled I would not have undertaken it; I would say to him if he was in this place, wherefore I require you messieurs, who are sent here by him, that you kindly pardon me and remit this offence, and in reparation put my hand on the window in calling the glazier and saying 'here is the window where I had broken the arms of the house of Boisguérout which I order you to replace and repair them to the state they were before I smashed them, which I beg you messieurs give M. Boisguérout to understand what you see and hear from me that I wish to do service and remain in his good grace and constant friendship, as well as neighbour, vassal, or the best friend he has in this world'.⁴⁹

⁴⁷ Carroll, 'The peace in the feud', 90.

⁴⁸ For this and following: BN MS Fr 11926 fos. 58–64.

⁴⁹ *Ibid.*, fo. 61–61^v.

Espinay's arbiters were adamant: 'it seems to the friends of M. de Boisguérout that he cannot go beyond the reply that they have already put forward.' But his position was weak. After the initial offence he had sent his men to exact revenge and they had killed a valet; he was facing the prospect of a protracted legal dispute in a hostile court. Auber's counsel suggested a comprehensive settlement in which the valet's widow would be compensated and the killers would obtain letters of remission without hindrance, and that Auber's apology should be reciprocated thus:

Monsieur de la Haye, I'm sorry that fortune, by a report made first neither by me nor my approval, caused me to attack you in such a way that I have been angered from the beginning to the end. And I beg you that we forget everything that has happened between us and go on as though nothing has happened and settle all the words that they say I have said about you, having passed through so many mouths that they became greatly distorted, and content you. I hold you as a man of honour and beg you that we stay friends, assuring me that if you had been in arms to stand up to us you would have put up resistance that a man of worth is obliged to do.⁵⁰

Having failed to kill his enemy, Espinay's attempt at triumph through humiliation was bound to backfire. Lasting peace however depended on political stability and it is no surprise that these men ended up on opposing sides during the Wars of the Catholic League.

Integral to these negotiations was the determination to resist anything that could damage one's honour. For the most recalcitrant less subtle methods were employed. In 1508 the privy council intervened to prevent a bloody confrontation developing between the sieur de Tournon and Nicolas de Moy. Tournon was banished from court for three years and ordered to kneel in the courthouse in Rouen bareheaded before his enemy saying 'that foolishly, rashly, irreverently and by bad advice and counsel he had punched Moy'. The latter refused to take part in the ceremony and had to be dragged into the chamber and made to sit down by the captain of the royal guard. When the reparation was in progress Moy shouted that 'this was no satisfaction and that for a long time Tournon had sought to do him harm'; he demanded to speak with his kinsmen and friends. Only when he was imprisoned for two days and the king informed of his refusal did he relent, and he was then forced to undergo a ceremony to beg the pardon of God, the king, and the council for his temerity.⁵¹

Social prejudice added to the fraught atmosphere of face-to-face negotiations and made for a combustible atmosphere. Mediators might refuse to deal with a party they did not consider of sufficient status with pernicious consequences.⁵² At Conches in 1636 the atmosphere between Charles de Pommereul *chevalier* and Louis de Croisy, president of the *présidial* of Evreux, became so heated that 'instead of settling a quarrel a new one was started'. Croisy was later murdered

⁵⁰ Ibid., fo. 64.

⁵¹ British Library Additional MS 30542 fo. 286.

⁵² AN X2b 1223, 16 Mar. 1645.

after throwing a punch.⁵³ These are not isolated examples and it is clear in many cases that premeditation was involved. La Roche's fears about peacemaking in taverns 'in the German fashion' were well grounded. Feasting too was part of the process of reconciliation but the drinking rituals that sealed the compact could get out of hand. The toast 'rataffia' signified that the deal was done but conviviality could soon give way to hubris.⁵⁴

By the seventeenth century such venues were unfit for those of high social position. Constable Henri II de Montmorency held ceremonies in his Paris hôtel or in the king's library in the Louvre. Occasionally a more public arena was called for. Boissat had to make recompense in front of the Estates of Dauphiné in 1638. Even where the profanity of the tavern was avoided, the ceremony of reconciliation was usually secular in orientation, beginning with an apology and asking for forgiveness, followed by the promise to forget the past and live in friendship, and sealed with a kiss of peace. Such ceremonies permitted enemies to attend mass together with a clear conscience and sanctify their reconciliation by kissing the pax board. Where required churches solemnized oaths.⁵⁵ In August 1477 the rival clans of Luxe and Gramont gathered in the chapel of Pau château. After the accommodation had been read out Roger de Gramont and Jean de Luxe knelt in front of the cardinal de Foix, who held a missel open at 'Te Igitur', the opening words of the canon of the mass, on which he placed a fragment of the true cross, while two candles were lit. The two men placed their hands on the book and swore to uphold the peace—it lasted barely five years.⁵⁶ Protestants replaced the haphazard cooperation between religious and secular authority by entrusting the consistory court with peacemaking functions. This aspect of Calvinist discipline was both popular with the faithful and successful in maintaining harmony.⁵⁷

REPARATION AND SATISFACTION

Verbal apologies might suffice even when blood had been spilt. Scipion Dupleix recommended that the mediator should decide whether the offence had been done in hot anger or with advantage: in the latter case the offended party would say that he relinquished his right to vengeance only at the request of his friends.⁵⁸ Physical punishment was shameful and therefore rare. The 1653 ordinance on reparations issued by the marshals stipulated penalties of increasing severity: for punches three months in prison, 1,500 *livres* in alms, and the infliction of the same number of blows given; for blows with a staff six months in prison and 3,000

⁵³ AN X2b 1214, 16 Apr. 1641.

⁵⁴ Godins de Souhesmes, *Étude sur la criminalité*, 123.

⁵⁵ AN JJ 262 fo. 380, Dec. 1553.

⁵⁶ Jaurgain and Ritter, *La Maison de Gramont*, ii. 478–80.

⁵⁷ Carroll, 'The peace in the feud', 95.

⁵⁸ Dupleix, *Les Loix militaires touchant le duel*, 358–87.

livres and a comparable beating.⁵⁹ Although probably rarely enforced they are indicative of hardening attitudes: in 1681 the marquis de Vaillac's letters of remission were registered at Toulouse while he knelt in the courtroom and the hangman placed a noose around his neck.⁶⁰ The bodies of lackeys and servants on the other hand provided an easy outlet for satisfying *ressentiment*. While the combat on horseback between la Frette and the comte de Curson was judged fair and their quarrel void, the behaviour of a lackey in hitting la Frette with a staff was deemed out of order. The marshals ordered that the lackey should be taken to la Frette's lodging and 'whipped as an example and in reparation of the wicked act he had committed'.⁶¹ Accords might also make stipulations on the movements of the offender:

I the undersigned promise . . . that in any house that I meet Madame de Laxion or Messieurs her children or in any house where the dame de Laxion or one of her family arrive I shall take my leave and leave as soon as I can and if I meet the lady in the country or her children I promise to move to the left or to the right and allow them to pass.⁶²

Civil damages were ubiquitous and paid according to the status of the victim and the type of crime: Olivier de Clisson paid 2,500 *livres* in 1485 for wounding, Jean de Saint-Germain 800 *livres* for abduction in 1497, and François de Courtalvert paid 100 *livres* and gave 30 *livres* in alms for insult in 1659.⁶³ Interim judgements against murderers awarded the victim's family provisional damages and holders of letters of remission were required to satisfy their civil party before presenting them to the courts for registration, though this did not prevent attempts to do so.⁶⁴ Life at the bottom of the social hierarchy was cheap. In mid-sixteenth-century Paris the life of a shepherd was worth 6 *écus* and that of a stonemason 15.⁶⁵ For those without cash, payment in kind, such as corn, could be substituted. In the same period letters of remission were the equivalent of two months' salary for an unskilled worker, but for the poor the cost might be waived.⁶⁶ Nobles on the other hand represented an opportunity for enrichment, especially if the victim was of high status and the Great Seal required. At every stage of the process of settlement there were those seeking their cut. Cardinal Mazarin's kleptocratic regime was more rapacious than most. Letters of abolition for heinous murders were purchasable through his servants for 12,000 *livres*.⁶⁷ Ruffec de Balsac, seneschal of Beaucaire during the reign of Louis XI, ran a more modest operation, taking a cut from all accords based on a tariff 'more or less according to the means of the persons'.⁶⁸ Pierre de

⁵⁹ *Règlement de messieurs les maréchaux de France touchant les réparations entre les gentils-hommes pour l'exécution de l'édit contre les duels* (Paris, 1653).

⁶¹ BN MS Fr 3585 fo. 87.

⁶² AD Dordogne 2E 1851/62, 1 Aug. 1669.

⁶³ AN X2a 52, 19 Apr. 1484; JJ fo. 265, May 1497; APP AB 46 fo. 154^v, 6 May 1659.

⁶⁴ AN X2a 1393 fo. 114^v, 21 May 1583.

⁶⁵ Coyeque, *Recueil d'actes notariés*, ii. 236, 363.

⁶⁶ N. Z. Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Cambridge: Polity, 1987), 10.

⁶⁷ BN Thoisy 116, Factum pour M^e Jacques de Petiot.

⁶⁸ AN JJ 201 fo. 114, May 1476.

Javincourt guessed that it would cost 100 *écus* to obtain a pardon for killing Gilbert de la Motte *écuyer*.⁶⁹ Judges were sensitive to the contents of letters of remission not because of a desire for truth but because it cheated them of their cut. In 1463 the procurator-general opposed registration of the accord between Odet de Raigny and Laurent Robert because the pardon letters of the former admitted only two of the eight capital crimes of which he was accused with the intention of 'defrauding the king of his fines'.⁷⁰ Settlement negotiations were characterized by bluff and threat. The victim's family might wish to have their day in court, which gave better guarantees for payment and offered the hope of an additional sentence of banishment. The offender could avoid paying alms and the king's fine if he could reach an out-of-court settlement. Unable to reach a compromise, many gambled on favourable treatment by the court. Paule de Salles challenged the letters presented to the court of the *prévôté de l'hôtel* by her husband's killers, demanding 6,000 *livres* in damages. The letters were registered and she had to be satisfied with half the sum.⁷¹ Evaluations varied widely and did not always fit the crime. The very low valuation on the life of François Duprat, son of the provost of Paris, at 10,000 *livres* in 1566 merely aggravated the Alègre-Duprat feud and attests to the delicate task that faced judges and the pressures they were under.

Holders of letters of remission were supposed to remain in prison until they had quitted their fines. In practice, recovery of the monies depended much on the power of the lineage, leaving widows and unmarried daughters particularly vulnerable. Hector Rousseau's widow fell out with her brother-in-law over the partition of damages when he cut a separate deal. Her second daughter had received nothing from the settlement ten years later.⁷² Jean de Ferrières-Sauvebeuf did not pay up for twenty years until ordered to do so by Louis XIII.⁷³ Baudouin de Herouys was forced to sign over most of his award of 2,000 *livres* to his brother-in-law because he had lost hope of recovering it 'without great pursuit and diligence and without great expense'.⁷⁴ One ruse involved legal separation from one's wife, thus protecting her property from sequestration.⁷⁵

Reconciliation with his enemy was the first step in the malefactor's return to a state of grace, a journey that could be difficult: Anne de Voré was refused absolution by four priests until he visited a penitencier.⁷⁶ Though penance was a matter for the Church and rarely stipulated in accords, kings continued to take an interest in such matters at the beginning of the sixteenth century. In 1517, the assassin François de Pontville was ordered by François I to go on pilgrimage to Rome and Santiago de Compostella and wear mourning clothes for a year.⁷⁷ Stipulations of garrison duty were a form of secular penance. The tradition of charitable donations to prisoners

⁶⁹ AN JJ 211 fo. 109, June 1484.

⁷¹ AN V3 85 fo. 375, 29 May 1646.

⁷³ Huet, *Ferrières-Sauvebeuf*, 266–7.

⁷⁵ R. Gordon, *Grossouvre: son château et ses seigneurs* (Nevers: Éditions de la Revue du centre, 1929), 26.

⁷⁷ AN X2a 72 fo. 85^v, 17 Mar. 1517.

⁷⁰ AN X2a 32 fo. 55, 26 July 1463.

⁷² Guérin, 'Recueil des documents', p. xli.

⁷⁴ Coyeque, *Recueil d'actes notariés*, i. 369.

⁷⁶ AD Seine-Maritime G 3504, 9 May 1611.

Table 9.2. Settlements for murdered nobles (in *livres*)

Victim and status	Date	Damages	King's fines	Alms	Other stipulations
Pierre de Brezons	1465	3,750			
Jean de Bucaille	1634	4,500			
Philippe du Cardonnet	1542	2,000			
Louis de Coisnon	1581	3,000			Figure includes masses and a cross
Claude Duchasteau	1535	1,000		200	20 <i>livres</i> of <i>rente</i> to found a chapel and two weekly masses
Hugues de Forceville	1635	6,000			
Antoine de Hallencourt <i>chevalier</i>	1629	24,000		4005	
Landugean sieur de Saint Jouan	1565	2,000	400	400	
Jean de la Rocheaymon	1595	12,000			
Charles le Jumel	1646	1,200			
Jean le Lievre sieur du Quesnel	1586	3,600		600	
Jean de Lévis comte de Charlus	1612	36,000 (provision)			Destruction of château of Champroux and its materials to build a chapel
Charles de Malvin	1603	21,000			Payable in land or cash
François de Montlaur, governor of Montpellier	1623	93,000			
Charles de Pelletot <i>écuyer</i>	1629	4,000		600	
René de Puy du Fou	1578	9,000			
Gaucher de Quiqueran	1560	30,000			80 <i>écus</i> of <i>rente</i> to found a chapel
Hector Rousseau	1463	3,220			100 <i>livres</i> for prayers for the victim
Louis de Vieuxpont <i>chevalier</i>	1567	50,000		500	
Marc de Vintimille <i>écuyer</i>	1541	1,800	800	300	Banished from seigneurie of Bardieu for 10 years and forbidden to hunt nearby

survived the Middle Ages, so too the custom of commemorating the victim and praying for his soul. Charles de Sabrevois, who had killed a priest on the altar, undertook to rebuild Richebourg church in 1500.⁷⁸ His pardon had, however, been obtained from the pope, but most pledged to build a chapel in honour of the victim, found masses for his soul, and construct a stone cross at the scene of the crime. There were variations on this theme: Françoise de Brie asked for four stone crosses to be set up in Paris, Nantes, Blois, and Reims, hung with portraits of the parties and the details of the crime.⁷⁹ Before the Counter-Reformation the sacred mingled with the profane. The chapel dedicated to Saint-Accurse built in 1521 by Antoine de Quiqueran baron of Beaujeu at the entrance to the Aliscamps in Arles, a major pilgrimage site, commemorated both his victim and the duel in which he died: 'The duel is portrayed by a bas relief sculpted on a frieze above the door. Two men are depicted advancing towards one another. One of them is depicted over a death's head, symbolizing the outcome of the combat, and shown sounding a hunting horn.'⁸⁰

Dowries were another, hidden, form of satisfaction. Marriage alliances traditionally seal peace treaties between warring dynasties. The same principle operated in the towns and villages of France with regard to neighbourly disputes. One of the longest recorded feuds, that between the Luxe and the Gramont, which can be traced back to 1316, was temporarily stopped by the marriage of Isabelle de Gramont to Jean de Luxe in 1535 before the Wars of Religion reactivated ancient hatreds. Finally in 1617 Antoine II de Gramont married the Luxe heiress and incorporated their arms into his own.⁸¹ Marriage could also erase a death sentence. In Paris in September 1576 Jean de Sabrevois and his two sons were broken on the wheel in effigy and subject to huge fines for the murder of Michel Vialart, president of the Grand Conseil. In 1583 the victim's daughter married Pierre de Sabrevois. It was a good deal for the Vialart who not only married into a family of impeccable descent but offset the dowry against the fines.⁸² There may have been some arm twisting by their shared patron, for both families moved in the Guise orbit. Others were better able to resist the pressures from neighbours and kin. The sieur de Saint-Chamans writing in 1790 was proud that he was the first of his line to reunite the warring branches of the family for nearly 200 years, but while he lived his father had refused to contemplate such a union.⁸³

CONCLUSION: THE POLITICS OF PEACEMAKING

Pardons were the most widespread form of patronage the crown possessed. As its great princely rivals died out so the Valois had, by the sixteenth century, come to monopolize this source of power. Peacemaking was integral to majesty. From the

⁷⁸ Rabourdin, *Sabrevois*, 8.

⁸⁰ Carroll, 'The peace in the feud', 108.

⁸¹ Jaugain and Ritter, *La Maison de Gramont*, ii. 487.

⁸³ Bombal, *Saint-Chamans*, 23–4.

⁷⁹ AN V5 1043*, 13 Jan. 1506.

⁸² Rabourdin, *Sabrevois*, 19.

general sense of grace as the power to operate upon the will of others Weber derived his conception of charisma. Mercy thus added to the metaphysical essence of kingship. Peace was also intimately associated with issues of patronage and therefore politics. Patrons were expected to protect their clients and intercede with the king. René de Faulles feared to seek letters of remission in Paris because of the credit of his victim's family at court.⁸⁴ The annual squabble over the precious privilege of Saint-Romain was a barometer of political influence. Rival demands for mercy and justice cleaved the king's council. A magnate's signature at the bottom of a pardon letter reminded the holder to whom he owed his life. Intercessors could come from some surprising quarters: Henry VIII succeeded in quashing the death sentence against the sieur de Baucher in 1520; and the prince of Wales pressed the suit of the comte de Pontgibaut in 1624.⁸⁵

'In the life of a prince is mirrored the whole commonwealth.'⁸⁶ The image of Solomon was powerful and French kings were judged by their ability to dispense fair justice and maintain internal peace. Favouritism was rarely an issue because very few supplicants were denied letters of remission, though the image of François II personally going to the prison of For Levêque to release a prisoner whose pardon had been rejected by the Parlement does not redound to his credit.⁸⁷ Problems arose when favourites and later ministers rather than the king were perceived to be denying pardons for political advantage. Richelieu's aims in denying Montmorency-Bouteville mercy in the face of intense lobbying were entirely laudable, but allegations of hypocrisy and dissimulation were given plausibility when he flouted the principle of no mercy for duellists where his own kinsmen and clients were concerned. Richelieu's crackdown on duelling made what had been a transparent system of favouritism more opaque. Rochefort recounts in his 'memoirs' how, in the same year that Montmorency-Bouteville was executed, he fought a duel in which both his brothers died. Initially, the cardinal snubbed him and he went into hiding for four months. When the storm over Montmorency-Bouteville had subsided Richelieu indicated to the procurator-general that the case was to be handled in such a way as to ensure a pardon, but with the utmost discretion to avoid arousing suspicion.⁸⁸ Even if this story is not wholly factual, it tells us much about perceptions of the cardinal. Conversely, a king who did not leave such important matters to the discretion of his servants and who pursued a consistent and even-handed policy towards supplicants was difficult to gainsay.

⁸⁴ AD Seine-Maritime G 3504, 19 May 1626,

⁸⁵ BN MS Fr 21811 fo. 62, 22 Sept. 1520; AD Maine-et-Loire E 2190, Dec. 1624.

⁸⁶ Marcouville, *La Maniere de bien policer*, 10.

⁸⁷ AN AB xix 3346/1 fo. 19^v.

⁸⁸ Courtilz de Sandras, *Les Aventures du comte de Rochefort*, 57–9.

Women, Sex, and Vindictory Violence

Family relationships in the pre-industrial West were shaped by emotion and material interest. Marriage should ideally be for love but it above all fulfilled the purpose of economic and social reproduction. Property was transmitted and social mobility sanctified by marriage. Material and affective relations were linked for, as David Sabean has pointed out, 'The way that property is held gives shape to feelings between family members, territorializes emotions, establishes goals and ambitions, and gives a sense of dependence and independence.'¹ We have already discussed how these conflicts played out in relations among male relatives. Control over property and maintenance of family honour also entailed control over female sexuality. The ideology of patriarchy did not emerge in the sixteenth century but was given a powerful boost by the religious reformations: the well-ordered, pious household under paternal authority acted as a fortress against the forces of sin, which threatened moral and social disintegration. Sin was a product of female weakness. Misogyny's Old Testament roots were nourished by medical and philosophical discourses which stripped women of the proper faculties of reason and made them prone to lasciviousness. Brantôme's first discourse in *Les Dames galantes* is devoted to cuckoldry: 'seeing that it is ladies that have laid the foundation of all cuckoldry, and how it is that they do make all men cuckolds.'² Reinforcing the sanctity of marriage and criminalizing non-marital sex was part of a larger project of social disciplining. The family was a microcosm of the kingdom in which the king was supreme patriarch, whose subjects, like children, owed submission and loyalty. Paternal authority is the corollary of authoritarian state building.³

Patriarchy's ideological ascendancy and the search for order through the submission of women to male authority during this period is not at question here. In

¹ 'Young bees in an empty hive: relations between brothers-in-law in a South German village around 1800', in H. Medick and D. Sabean (eds.), *Interest and Emotion: Essays on the Study of Family and Kinship* (Cambridge: Cambridge University Press, 1984), 171–2. ² Brantôme, ix, 3–4.

³ The literature is vast. For conceptual approaches see: S. Hanley, 'Engendering the state: family formation and state building in early modern France', *French Historical Studies*, 16 (1989), 4–27; J. Farr, *Authority and Sexuality in Early Modern Burgundy, 1550–1730* (Oxford: Oxford University Press, 1995). J. Hardwick, *The Practice of Patriarchy: Gender and the Politics of Household Authority in Early Modern France* (University Park, Pa: Penn State University Press, 1998) is a more nuanced case study.

any hereditary monarchy ruling over a society dominated by an aristocracy the issue of power relations between the sexes and between generations will be a dominating feature of politics. However, the motives behind legislation, the social practices it sought to control, and its consequences require some fuller explication. First, we must recognize that the origins of laws controlling marriage and sexuality were formulated in contingent political contexts whose implications for state building are ambiguous. Secondly, royal edicts themselves could only influence behaviour so far. In practice, affective relationships between the sexes and the generations continued to be shaped largely by customary law and kinship solidarities. Historians' exposure of double standards and the repressive nature of laws controlling sexuality has been done without recognizing either how these laws operated in practice or the immense public disorder caused by marital strife. Though contemporary fears about sexual sin and its effect on order fed on misogyny and sanctioned repression, it is also true that family breakdown *was* a pressing problem for early modern people, leading to violence, political disorder, and feuds which had to be faced with inadequate resources. Finally, patriarchy, like all hierarchical relationships, brought with it duties and responsibilities, as well as power.⁴

THE POLITICS OF MARRIAGE

Between 1557 and 1639 a series of royal edicts superseded canon law and reinforced the principle of parental consent, lengthening the age of minority (from twenty to thirty years for males and from seventeen to twenty-five years for females), strengthening the requirement for a publicly announced, properly officiated, and witnessed ceremony, and establishing draconian penalties for non-compliance. The 1557 edict, for example, stipulated the disinheritance of wayward children.⁵ A further edict of 1579 linked clandestine marriage with the capital crime of *rapt* (seduction or abduction, in contrast to *viol*, or rape).⁶ The 1557 law against clandestine marriage is usually associated with the edict of the same year against hidden pregnancies. In fact, they had different origins and purposes. The latter was responsible for a tremendous growth over the next century and a half in executions for infanticide. Like witches, the victims were overwhelmingly the defenceless, miserable, and destitute. Different morals and standards of proof applied to the social elite.⁷ Clandestine marriage was an issue

⁴ The methodology and the understanding of law and politics adopted here are at odds with the approach favoured by Hanley. Her view that the 'family-state compact' is a creation of the *noblesse de robe* is based on the assumption that *robin* values were a harbinger of 'bourgeois' morality.

⁵ Hanley has this edict dated in the old style, 1556. The edict was registered by the Parlement of Paris on 1 March 1557. How it fared in the provincial Parlements, where some of its stipulations clashed with customary law, is unknown.

⁶ Hanley, 'Engendering the state', 10–11

⁷ A. Soman, 'Anatomy of an infanticide trial: the case of Marie-Jeanne Bartonnet (1742)', in M. Wolfe (ed.), *Changing Identities in Early Modern France* (Durham, NC: Duke University Press, 1997).

for property holders in general and the nobility in particular. Unlike infanticide, it was an issue that had significant political overtones in 1557 and one in which the king, Henri II, took a close interest.

Around 1550 François de Montmorency, eldest son of the constable, fell in love with Jeanne de Piennes.⁸ Jeanne was of impeccable aristocratic lineage but lacked the vital ingredient the constable wished for his progeny: princely blood. The constable was at the height of his favour and in 1556 the king agreed to his request for the hand of the king's sister Diane for his eldest son. The dowry included 100,000 *livres* in cash and a promise of the office of grand master of the king's household. On the eve of a magnificent festival to announce the event the king was informed that François had already married Piennes, a blow to royal prestige as well as to paternal authority. At first, the constable thought the promise easily annulled by papal dispensation; but his son soon made it clear that it had been consummated, and his intention was to meet his obligation. After being interrogated Jeanne was confined to the convent of the Filles-Dieu, a prison-like refuge for women of loose morals. François was ordered to Rome to obtain a dissolution, but the process was soon mired in dynastic politics. In order to encourage his son's efforts and to protect his lineage, the constable obtained from the king the celebrated edict disinheriting contractors of clandestine marriages. François, aged 26, was conveniently transformed into a minor. Realizing where his interest lay, François formally broke his promise and Jeanne came under renewed pressure. Nevertheless Paul IV refused to dissolve the union. The only way round the problem was to invent the fiction that the marriage had not been agreed in good faith and concocted only in order to dupe the constable into giving his assent.

The necessity of stricter laws governing marriage was brought into sharp relief by the more serious case of Françoise de Rohan. She was seduced in 1556 on promise of marriage by the duc de Nemours and gave birth to an illegitimate son in 1557. Françoise's brothers were already leading Protestants. Nemours, on the other hand, moved in the Guise orbit. In May 1558 her protector, Antoine de Bourbon, launched a suit before the church courts of Paris. This had little chance of any success while Henri II lived. However, in 1560–1 the hatred between Nemours and the Rohan became integrated into the factional and religious struggles that followed the king's death. The Rohan were leading Protestant conspirators and in February 1561 Françoise's eldest brother Henri arrived at court with 200 men to pick a fight with Nemours. After the First War of Religion (1562–3) the prospect of a settlement grew ever more distant and the feud turned violent in January 1564:

This night in Paris a gentleman of Britaigne belonging to the duke of Nemours called Caharon, met Monsr de Fontenay, younger brother of Monsr de Rohan, ryding in the

⁸ For this and following: A. de Ruble, *François de Montmorency, gouverneur de Paris et de l'Île de France* (Paris, 1879).

strete and with his rapure thrust him through the left shoulder, thincking that he had slain him. De Fontany lighted and with an other captain followid him as he ran his waye and hard by the house of Guise over toke him and slew him. The captain who was with the said Fonteny hurte an other that was with the said Caharon in the heade so that he is like to dye. The quarrell was for words the said Caharon should speak to Fonteny and threatens of de Fonteny of the revenge.⁹

By now the political situation was turning further against the Rohan who in any case had become absorbed by another equally serious marriage dispute. In 1566 Nemours celebrated his marriage to Anne d'Este, widow of the duc de Guise, but continued to be molested until he finally bought off the Rohan in 1579.

Male fidelity was not prized in aristocratic circles and even viewed with contempt. In cases of sexual misdemeanour the balance of blame weighed heavily in favour of the husband. Though a husband could sue for legal separation on grounds of his wife's adultery the reverse was not the case. The rights of the husband and the necessity of maintaining the purity of the lineage were paramount. Although opinion could be pitiless towards women who were caught out, political circumstances weighed more heavily than morality in Françoise de Rohan's disgrace. The ideology of male right condoned some horrendous crimes. One of the most notorious was the murder by the royal favourite Villequier in 1577 of his pregnant wife, whom he suspected of adultery, and for which he obtained letters of remission without difficulty. Significantly, however, opprobrium fell on the murderer and his master and there was much sympathy for the victim: 'do not blame the ladies, but blame the hungry desire of a cuckolded courtier.'¹⁰ Brantôme was highly critical of the double standard and unequivocally condemned wife killers: 'for as Saint Augustine says it is great foolishness in a husband to demand chastity of his wife, himself being all the while plunged in the slough of lecherous living.'¹¹ The boundaries of the relative sexual freedom enjoyed by aristocratic women were shaped inevitably by issues of honour and status. Villequier had tolerated other liaisons and boasted of rumours linking her with the king, but would not tolerate his latest rival, a Parisian upstart.

Both male and female culprits were the object of revenge.¹² In fact, the religious revival of the sixteenth century sharpened attitudes to male culpability. A 1568 decree of the Parlement of Brittany stated that both men and women involved in adultery were worthy of death. In the event, judges were reluctant to execute women because of the 'weakness' of their sex. François de Courdemanche was decapitated in Paris in 1621 for adultery with the wife of the lieutenant-general of the *présidial* of Alençon; his lover was executed in effigy but later delivered up to

⁹ D. Potter, 'Marriage and cruelty among the Protestant nobility in sixteenth-century France: Diane de Barbançon and Jean de Rohan, 1561–7', *European History Quarterly*, 20 (1990), 16.

¹⁰ L'Estoile, *Registre-journal*, ii. 129–34.

¹¹ Brantôme, ix. 41.

¹² For example: JJ 215 fo. 139^v, 1485; L'Estoile, *Registre-journal*, ii. 204; Floquet, ii. 496. Louis de Montcler *chevalier* murdered his wife, but her lover escaped through the privy window: AN X2b 129, 17 Dec. 1583.

her husband.¹³ Revenge on the cuckold was more likely to be applauded than wife murder and killing him was easily defensible. In 1610, when Antoine de Gramont found his bastard uncle Marsilien in bed with his wife, he ran him through and then launched a suit in his own court and had the cadaver beheaded.¹⁴ Cuckoldry could have political motives: seduction being a way of getting even. The murder of Bussy d'Amboise in 1579 is instructive. His affair with the wife of Montsoreau was not the reason for his death; rather, they were political rivals. He was lured to his death by a false assignation from his lover and then murdered, which the husband dressed up to resemble a crime of passion.¹⁵

Marital problems arose for a variety of reasons and resulted in acts of vindictory violence due to factors other than adultery. First, there was the problem of marriage negotiations which broke down in acrimony. This was often the case where one of the prospective partners had more than one legal guardian. In 1622 François d'Espagnac, governor of la Rochelle, conspired to make a match on behalf of the daughter of the damoiselle de la Combe but had to fight the two other guardians when they found out.¹⁶ Secondly, bilateral negotiations were complicated by internal family politics that revolved around generational and personal issues, as well as the claims of paternal authority. When Anne de Bassompierre made her vows at the convent of Remiremont she stipulated that should she wish to get married her family would provide a dowry of 20,000 *livres*.¹⁷ Wooed by Gaspard de Nettancourt negotiations soon got under way. Her brother Claude-Antoine wrote to his father to tell him he was against the match. In the light of this Nettancourt's father refused to support his son, who nevertheless went ahead with the wedding in July 1564. The newly-weds were in the vicinity of Richardmesnil when they were set upon by Claude-Antoine and twenty kinsmen. Nettancourt was shot three times. The reason for his unsuitability is unknown, though it is unlikely to have been his pedigree for Anne later married someone of lesser status. Lords might even intervene to stop their vassals marrying their enemies' vassals.¹⁸

Male dissoluteness, though common, was traditionally mediated by the formidable pressures exercised by the wider kinship network to conform to minimum standards of decency, and in the wake of the Reformation expectations were rising. The Rohan feud with the Nemours was not the only problem facing the family. On 28 September 1561 the French Protestant elite gathered for the marriage of Jean de Rohan baron de Frontenay to Diane de Barbançon.¹⁹ Though an active Protestant captain, Jean was far from godly in his personal life; his bride

¹³ There were other factors involved. He was accused of plotting to kill the husband: AN X2b 1331, 12 Sept. 1619. Two years later Louis le Liepvre met the same fate for his adultery with the dame de Thiret: APP AB 25 fo. 44, 12 Feb. 1621.

¹⁴ Gramont was later suspected of killing his wife: Jaurgain and Ritter, *La Maison de Gramont*, i. 374–5.

¹⁵ Mouton, *Bussy d'Amboise*.

¹⁶ AN X2b 1184, 17 Mar. 1622.

¹⁷ On the Nettancourt: Godines de Souhesmes, *Étude sur la criminalité*, 91.

¹⁸ Floquet, ii. 432.

¹⁹ Potter, 'Marriage and cruelty'.

was rich and pious, he spendthrift and debauched. Kinship pressures were applied on both: on the unfortunate wife to accommodate herself, on him to change his ways and treat her with respect. Having drawn up a will handing her considerable property over to her husband, she died in suspicious circumstances in September 1566. Jean however now faced a more dangerous opponent in the shape of his wife's aunt, the duchesse d'Étampes, former royal mistress and the major benefactor of their marriage. In order to recover her niece's property she gathered a formidable case against Jean to the effect that he had infringed matrimonial law and infected his wife twice with the pox 'such that, whether by poison introduced into the body of the defunct . . . or the pox he cannot deny he is the cause of her death'. The outcome of the case is not recorded before his death in 1571. Of course, political connections cut both ways: the brutish Henri des Boves, who beat his wife to death in 1627, was protected by cardinal Richelieu who had a long-standing antipathy for her lineage.²⁰

Wives also attempted to curb their husband's domestic violence via the courts.²¹ Where admonishment and the courts failed an abusive husband could be summoned to a duel.²² Divorce was an impossibility, but legal separation of property (*séparation des biens*) if not of persons was a possibility for women where abuse and neglect could be shown. Suits were overwhelmingly successful and permitted wives and their children a means of independence.²³ Because noblewomen also played an important role in the household economy it was not only their own property they sought to secure. In 1652 when Charles comte d'Ourouër bought the governorship of Fougères for 52,000 *livres* his wife refused to put her name to the contract, resulting in litigation. He was assassinated in Paris in 1658 apparently at her instigation.²⁴

A nobleman's honour was at stake as well as his livelihood and some reacted with violence to the threat of separation, which could even lead to a feud between the patrilineage and the matrilineage.²⁵ The marriage of Charles de Sedières to Françoise de Saint-Aignan in 1616 was ill-conceived; she was 10 and he 30. The girl was subjected to mistreatment and looked to her elder sister and her husband François de Montlaur for support. She obtained a legal separation, but when they counselled her to go for an annulment on grounds of non-consummation and she took holy orders, abandoning her inheritance to her sister, Sedières smelled a plot and counter-attacked through the courts. Events turned violent when Montlaur tried to seize the château of Confolens and a sergeant was killed. Grandees tried and failed to make an accord. By now Sedières was at the end of his tether and he murdered Montlaur near Tulle on 13 March 1619.²⁶

²⁰ E. Deriez, *Les Puy du Fou* (Luçon, 1863), 46.

²¹ AN X2b 1190, 28 Aug. 1626.

²² Trévédry, *Guémadec*, 22.

²³ J. Hardwick, 'Seeking separations: gender, marriages, and household economies in early modern France', *French Historical Studies*, 21 (1998), 157–80.

²⁴ Gordon, *Grossouvre*, 29.

²⁵ AN JJ 246 fo. 30, Dec. 1531.

²⁶ L. Vaysière, 'Gimel et Sedières', *Bulletin de la Société Scientifique, Historique et Archéologique de la Corrèze*, 5 (1883), 31–104.

The post-Reformation ideal of mutual love and respect flourishing under the auspices of paternal authority was also informed by practicality: forced marriages or those which lacked support were more likely to produce tensions within the wider kin group. The requirement to find a match of equal or higher status brought its own risks. Siblings had to keep an eye on their brothers-in-law in particular. Esther de Larmandie was doubly unfortunate to be involved in two separate troublemaking marriages (see Fig 10.1). Her first husband's family disliked her, possibly because of her Protestantism, and they succeeded in disinheriting him in favour of his younger brother.²⁷ The intendant and the governor of Guyenne brokered a deal by which she and her husband Gabriel III d'Abzac waived their rights to the marquisat of Vergnolles for a lump sum of 50,000 *livres* and 7,000–8,000 *livres* in annuities. Nevertheless, in 1625 Gabriel was murdered, probably by assassins in the pay of his younger brother. Decades-long civil and criminal lawsuits were the result, during which Esther remarried to Isaac de Chasteigner. Esther brought a daughter, Madeleine, to the new marriage and Isaac a son. Pons de Chasteigner, the son, recounted later how he was forced to marry his stepsister in 1634, though it was not initially consummated, 'having delayed it to give them time and occasion to enjoy all of the d'Abzac inheritance'—a reference to the proceedings in which his mother had been embroiled since her first marriage. The inheritance was not being conserved for Pons's benefit and he rebelled, holing up in a château in Périgord where he was unsuccessfully besieged by his father. After murder and arson he was finally ejected by the provincial governor. His wife was probably an unwilling party in all this and their marriage was dissolved because of maltreatment.²⁸

Protestant nobles may have been under greater pressures than their Catholic counterparts by the mid-seventeenth century as the number of suitable marriage partners dwindled and dowry prices began to fall.²⁹ Pons abjured sometime before his death in 1684. But for both faiths remarriage was often a cause of friction. For some this was impossible to countenance. Stepmothers of low status were a particular embarrassment for the young. Aged 16, Alexandre-François de Chalus shot dead his grandfather's troublesome second wife, Suzanne Rollon, at the fair of Saint-Mathieu in Autun in 1645 'not knowing from whom the said Rollon was descended which was still not known in his family and that several of his friends had told him that they couldn't believe that his defunct grandfather had married her given the wicked life she had led beforehand'.³⁰

²⁷ AD Dordogne 2E 1835/79; *Factum pour le sieur Marquis de Ladouze, qui faict voir la justice de l'entherinement des Lettres Patentes à luy accordées pas sa Majesté* (n.p., 1639).

²⁸ His story is shot through with inconsistencies, not least his name sometimes given as Pons and sometimes Louis: BN NA Fr 21708 no. 295, June 1654; AN X2b 1242, 25 Sept. 1655.

²⁹ R. Mentzer, *Blood & Belief: Family Survival and Confessional Identity among the Provincial Huguenot Nobility* (West Lafayette, Ind.: Purdue University Press, 1994).

³⁰ BN MS Fr 21708 no. 275, June 1654. See also: AN JJ 261/2 fo. 11, Jan. 1552.

ABDUCTION

Historians have seen the 1579 edict on clandestine marriage which stipulated the death penalty for *rapt* as a significant step in the bolstering of patriarchal authority and the restriction of freedom in spousal choice. In fact, even before this date courts issued capital sentences for *rapt*.³¹ In 1497, Jean de Saint-Germain offered 800 *livres* compensation for the *rapt* of Marguerite de Beaugrant, with whom he admitted playing strip poker in the evenings, but was nevertheless thrown in prison.³² As so often, the stiffening of penalties and the frequency with which edicts were reiterated was in inverse proportion to their effect. And as in the case of all crimes committed by the social elite, death sentences were routinely issued but rarely carried out and letters of pardon obtained with ease.³³ Greater restrictions on personal choice have been blamed on the patriarchal ideology of the Reformation. Absent from the debate has been the acknowledgement that *rapt* was a matrimonial strategy widely practised among the nobility; it was a significant social problem, a cause of violence and disorder and of major debate in the literature of the period.³⁴ Its suppression may have been primarily to protect property, but we should not dismiss the manner in which it also protected the vulnerable. While rape was notoriously difficult to prove in court and the process injurious to honour, *rapt* was less so. Brantôme for one saw the recent laws in these terms:

Adultery is not so constantly punished as in other lands, by the good wisdom of our noble councils and French law-makers, which seeing abuses to arise by reason of harsh punishments, have . . . corrected the rigorous laws of a former day, passed by men which herein did allow themselves full licence of merry disport, but deprived women altogether of the same privilege.³⁵

Rapt destabilized local society and caused feuds. For twenty years the heiress the marquise de Fronsac was the object of rival attentions. In 1580 a Catholic, Jean d'Escars, seized her from her Protestant guardian. Six years later in a bizarre example of cross-confessional cooperation the duc de Mayenne, while on campaign against the Protestants, joined forces with her guardian and, with the blessing of Henri de Navarre, tried to seize her back with the intention of marrying her to his son. Against the wishes of her mother she was finally married to the comte de Saint-Pol in 1595.³⁶ At a lower social level Charles du Val and his

³¹ AD Seine-Maritime 1B 3154, 2 July 1563.

³² This is one of the longest and most interesting of all letters of remission. The circumstances of her stay in his household are open to speculation. She dressed as a priest and performed the sacraments. She may have been his concubine: JJ 227 fo. 265, May 1497.

³³ Farr, *Authority and Sexuality*, provides little evidence that the judgements he studies were ever enforced.

³⁴ D. Haase-Dubosc, *Ravie et enlevée: de l'enlèvement des femmes comme stratégie matrimoniale au XVII^e siècle* (Paris: Albin Michel, 1999).

³⁵ Brantôme, ix. 192.

³⁶ Comtesse de Vivant and R. de Boysson, 'Un grand procès perigourdin au XVI^e siècle', *Bulletin de la Société Historique et Archéologique du Périgord*, 53 (1926), 145–51.

son-in-law Nicolas Heudey, both councillors of the Parlement of Rouen, obtained a sentence against Jacques le Cornu for the abduction of Marguerite, eldest of the du Val sisters, for 'which the kindred and friends of le Cornu conceived mortal enmity for [them]'. The status of the marriage became a more serious issue when Charles du Val died around 1585 and the two brothers-in-law squabbled over the inheritance. Le Cornu seized the inheritance and bloodily resisted all attempts to remove him. Twenty years later litigation had reached the privy council. The feud reappears in 1653 now among the grandsons of the original protagonists. Over the next decade at least three members of the feuding parties were murdered.³⁷

Differentiating between elopement and abduction is difficult because of the partisan nature of the sources; however both could result in violence.³⁸ Claude de Sallenove was first abducted in 1643, in 1649 her brother was killed in a duel by a suitor, and a year later one of her uncles was killed resisting a second abduction, for which her unwanted husband received a pardon in 1654.³⁹ *Mésalliance* was a constant preoccupation. In 1523 François des Fosseze intervened when his cousin fell for Richard Oyart, family servant and 'keeper and guardian of [their] cattle . . . which was a great scandal and disparaging considering the injury [to their] nobility which is of very old extraction'. Notwithstanding this Oyart was of sufficient status to die in a duel fought with des Fosseze on a bridge over the Seine.⁴⁰ One abductor even had the temerity to return to the scene of his crime and demand his 'dowry'.⁴¹

Rescue or settlement were the only effective options for the girl's family. Legal judgements were tactically useful to the extent that they legitimized the use of force or drove the malefactor to the negotiating table. Some rescues resembled mini-campaigns. Pretre-Jean de Fontanges resisted the overtures of Gabriel de la Volpillière towards his sole heir, Guillemine. His wife, however, was enthusiastic, perhaps because it was a love match, and conspired to deliver up the château of Pierrefort in the Auvergne on 10 July 1607. Pretre-Jean was forcibly removed to a nearby stronghold and the young couple and madame de Fontanges retreated to the château of Drugeac, which was summoned by the *maréchaussée* with the full paraphernalia of war: 'with a public cry and with a sound of trumpets'.⁴² Several hundred men settled down for a siege conducted by the provincial governor. On 19 August a relief column appeared and though it was dispersed it proved to be a ruse: la Volpillière managed to escape in a sortie which left several dead. A sentence of breaking on the wheel was carried out in effigy but this did not prevent him returning to the Auvergne in 1614 to make a second unsuccessful attempt. Guillemine's marriage to Louis d'Escorailles two years later necessitated a

³⁷ AD Seine-Maritime 1B 3206, 16 Sept. 1586; 3207 7 Feb. 23 June 1587; 3213 28 July 1588; *Inventaire des arrêts du conseil privé*, no. 10765; AN X2b 1241, 16 Mar. 1655. Diguères, *Sévigné*, is vital but confused and inaccurate.

³⁸ AN JJ 235 fo. 103^v, Aug. 1501; JJ 237 fo. 34^v, 1524; Ratier, *Le Château de Saint-Germain-de-Beaupré*, 74.

³⁹ BN NA Fr 21711 no. 1388, June 1654.

⁴⁰ AN JJ 236 fo. 312, Dec. 1523.

⁴¹ AN X2b 1176, 17 July 1585.

⁴² AD Cantal, Fonds de Comblat, 10 July 1607.

huge security operation, but did not prevent the bride's flight the following day. The following year, after a third failed elopement, la Volpillière used malcontent plots at court as a pretext to raise men 'for a private quarrel with Louis d'Escorailles of the Fontanges clan'.⁴³ In the most serious cases the king had to intervene. In 1632 Louis XIII issued a commission to the lieutenant-general of Anjou to raise 500 men to rescue 13-year-old Urbaine de Maillé.⁴⁴

Abductors knew that they were much more likely to be fined and banished than executed. The level of civil damages imposed by the courts ranged from 150 to 9,000 *livres* depending on the status of the parties and the type of settlement.⁴⁵ Even when exemplary justice was required the pressures for settlement were overwhelming. In 1645 the intendant of Upper Normandy reported the abduction of a daughter of one of the city's richest merchants by a nobleman outside the Protestant chapel at Quevilly. He took personal charge of the investigation but, as he informed the chancellor, was hindered at every turn:

I am receiving unrepeatable importunities in the investigation I am pursuing against the sieur de Courtonne and his accomplices for *rapt* . . . a great crowd of gentlemen of quality (at the head of which was M. le President Boutroude kinsman of the accused) held me in a cage of civilities on its attribution in the presence and cabinet of M. le duc de Longueville . . . who had not [yet] resolved to ask you in person for a pardon. Meanwhile I am pursuing it without rest. The father of the ravished girl has settled and solicits long and hard for the ravisher. Our judges only help me after repeated requests. The bailiff that I sent on my own account had no public money . . . [he] made a mistake in signifying the writ and it was necessary to send him again.⁴⁶

The law was weak, so families used abduction as a form of protective custody to snatch girls they feared were being mistreated by guardians. Uncles were predatory but also sometimes protective towards their nieces and nephews.⁴⁷ Renée de Villebranche was distraught to lose the wardship of her two daughters to her sister and brother-in-law, Guillaume de Maridort, whom she accused of mistreating them. But she still hoped to exercise her choice of marriage partner, gathering a force of sixty men and 'rescuing' the girls during mass on 3 November 1527, subsequently marrying the elder daughter to one of her supporters.⁴⁸

FEMININE REVENGE

Our examination of women's role in the dispute process thus far should not lead us to conclude that their role was a passive one. Certainly, contemporaries with a

⁴³ Boudet, *La Justice et la police prévotales*, 69.

⁴⁴ Louvet, 'Journal', pt. 5, 25 Jan. 1632.

⁴⁵ Z. Toumieux, 'La Seigneurie de Villeneuve', in *De quelques seigneuries de la Marche, du Limousin et des enclaves poitevines* (Limoges, 1893–1903), 45; AN V3 85 fo. 195, 10 Oct. 1594; Bouillet, *Nobiliaire d'Auvergne*, iii. 242.

⁴⁶ Lublinskaya (ed.), *Lettres et mémoires adressés au chancelier P. Séguier*, ii. 52.

⁴⁷ Bouillet, *Nobiliaire d'Auvergne*, iii. 242.

⁴⁸ Mouton, *Bussy d'Amboise*, 231–5.

passing knowledge of the Ancients were aware that revenge has a female face: 'Cruel vengeance . . . you have banished reason from the soul . . . the sweetest and most benign sex is particularly subject to this passion.'⁴⁹ Vengeance, vendetta, and quarrel are all gendered feminine in French. Poison and other diabolic practices were the stereotypical female weapons of revenge; dishonourable, unjust, and unnatural, they were subject to much harsher punishment than just and honourable 'male' revenge. Expertise with potions and witchcraft was a traditional area of female knowledge but for women of property these were not seemly occupations by the early modern period. Michelle de Parisot, a wise woman and healer married to an esquire, was adamant that she was not involved in the plot to poison the duc de Nevers in 1608 and that she knew of no bewitchments 'having been raised with persons of honour and that she knew no one of this sort nor wished to know'.⁵⁰ The blacker arts were the weapons of the weak, and women of independent power and influence had other means at their disposal.

Women appear as supporting actors in scenes of violence. Since vindictory violence was a public event we find them intervening to prevent bloodshed. Others joined in to help one or other party: in a gunfight in a church in 1644 in which two men died Marguerite Vigier admitted launching herself at her brother, pulling his hair and slamming his head against the floor.⁵¹ More serious premeditated acts should be treated with scepticism. Tales of female duellists are unverifiable and provided an opportunity for mixing titillation with a morality lesson. Vulson reported a duel fought 'in Provence in this year 1648 between two damsels who left the gentleness and humanity of their sex to fight a duel with swords and gave each other several blows'. He had seen the scars of another female dueller.⁵² Tallement des Réaux described Anne de Lastours, a duellist murdered by her enemies while out hunting: 'she usually went about on horseback with great boots, a thick long coat and a plumed hat banded with iron around the brim, a sword at her side and pistols at the saddle.'⁵³ Before we dismiss this as male fantasy it is worth investigating her family background. Anne was not a country bumpkin, but heiress of the most senior Limousin family, first barons of the province. Tallement, writing half a century later, was using a contemporary local source which praised her skills in the martial arts and, as the author put it, made her fit to rule an empire of Amazons, which he attributed to her Visigothic ancestry.⁵⁴ Moreover, she was part of a remarkable family. We have already encountered her sister Jeanne, wife of Gabriel II d'Abzac, who stripped their son of his inheritance when he married the Protestant Esther de Larmandie. If we can believe Tallement, Jeanne was a scold and finally killed her gout-ridden husband

⁴⁹ Rosset, *Les Histoires tragiques*, 327.

⁵⁰ AN X2b 1180, 27 Nov. 1608.

⁵¹ BN MS Fr NA Fr 21711 no. 1496, June 1654. See also: AN X2b 1181, 31 Jan. 1611; 1202, 6 Oct. 1634; JJ 225 fo. 193^v, 1489.

⁵² Tallement des Réaux, vii. 244.

⁵³ Vulson, *Theatre d'honneur*, ii. 528–9.

⁵⁴ Antoine de Lestang, *Histoire des Gaules* (Bordeaux, 1618), 188.

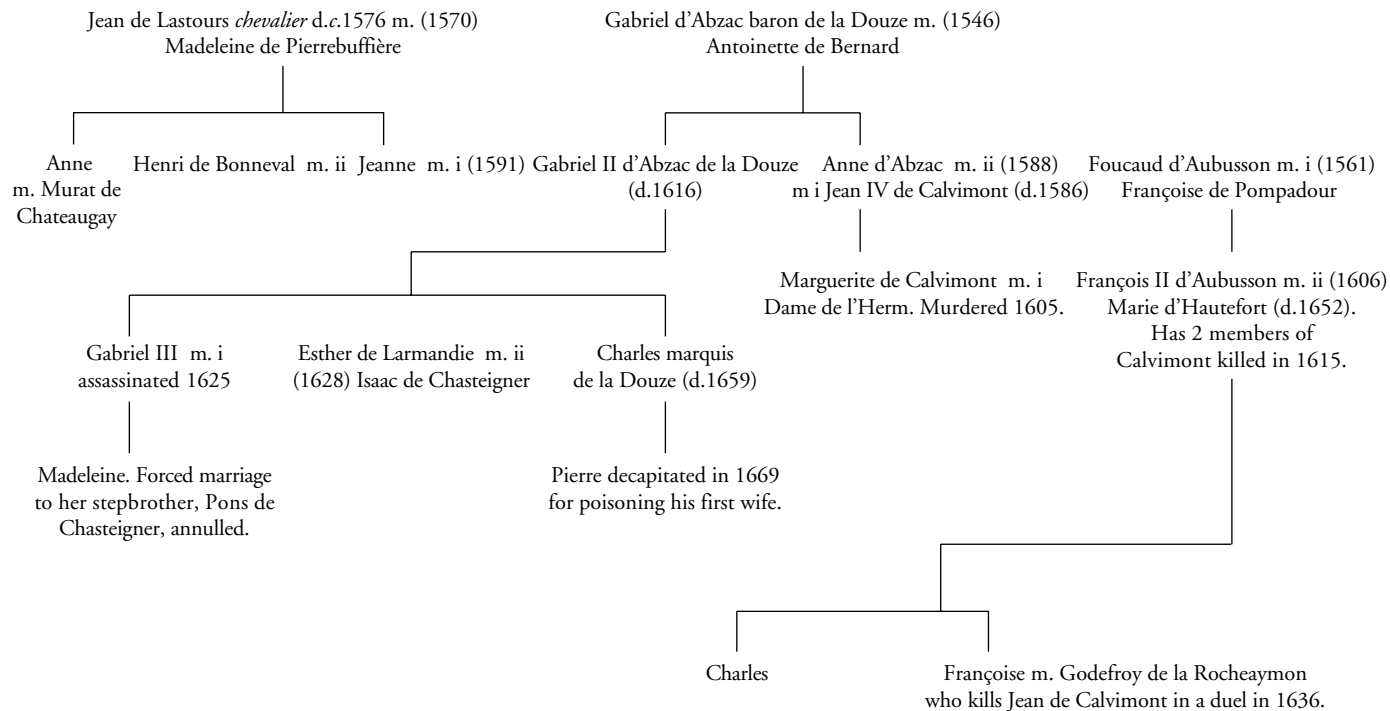


FIG 10.1. The Abzac de la Douze-Lastours-Calvimont (Périgord-Limousin).

in 1616. Her reputation did not deter suitors but her third husband fared no better: she challenged him to a duel. For women in the Limousin and Périgord, where aristocratic violence was commonplace, learning how to defend oneself was part of growing up. In the second half of the century Marie de Reynier, a widow, fought at the head of her clan in a mounted encounter near Nègrondes in Périgord, discharging her pistol at a suitor who fled.⁵⁵

There was more to female violence than self-defence: they were active participants in the feud. Another remarkable member of the d'Abzac clan was Anne, sister-in-law of Jeanne de Lastours. From her first marriage to Jean IV de Calvimont issued a single female heiress, Marguerite (see Fig. 10.1). Once remarried, Anne arranged for her stepson, François II d'Aubusson, to marry Marguerite. The sixteen-year marriage was barren and unhappy and Anne was increasingly concerned about the inheritance. In 1605 she conspired with her stepson/son-in-law to murder Marguerite: she was after the Calvimont inheritance; he wished to marry Marie de Hautefort. Unfortunately for Anne the inheritance was disputed by a collateral branch of the Calvimont. She was a crafty operator, coming to an agreement with their mutual enemies and allowing her stepson/son-in-law to carry the can. He died in prison in 1618; she retired financially secure. Despite her husband's trial and imprisonment, Marie de Hautefort successfully resisted by force attempts to wrest control of the Calvimont inheritance. On 26 February 1615 she counter-attacked, leading twenty men in the ambush which killed Balthazar and Gabriel de Calvimont. Litigation continued until 1635 when she was condemned to pay 77,700 *livres* in damages and twenty years' interest on the inheritance. This did not put an end to the feud. Marie's son-in-law Godefroy de la Rocheaymon, who had already fought a duel for the hand of her daughter, killed Jean de Calvimont in 1636. Marie continued to enjoy the Calvimont lands until her death in 1652 and the property only finally reverted to its rightful owners in 1676.⁵⁶

Women were as aware as men of the requirement to have their status recognized through public acts of violence.⁵⁷ They were equally conscious of their rights and how to enforce them.⁵⁸ It was in church that women played a leading part in the dispute process; churches being one of the few places where they were permitted a role in public life. Women were on the whole more pious than men and more observant of the devotional calendar; they were no less sensitive to family honour and as eager as their menfolk to protect rights of precedence and the family space in church. They were troublemakers in their own right. Life in the parish of Portail in Berry was peaceful and the friendship between the Bonnestat and the Dorléans had been 'without fiction or simulation' until Georges de Bonnestat married Christine

⁵⁵ X. de Monteil, 'Le Château de Glane', *Bulletin de la Société Historique et Archéologique du Périgord*, 56 (1929), 302–3.

⁵⁶ G. Lavergne, 'Note sur les seigneurs de Lerm de Calvimont, d'Aubusson et d'Hautefort', *Bulletin de la Société Historique et Archéologique du Périgord*, 62 (1935), 55–71.

⁵⁷ AD Cantal, Fonds de Comblat, 20 and 22 Feb. 1611.

⁵⁸ For abbesses: AN X2a 32 fo. 130, 3 Aug. 1462.

d'Assigny, who was unhappy with her place in church processions. She visited the other ladies in the parish and, when they would not relent, withdrew from parish life:

she ended her familiarity with and the visits she had been accustomed to make to the damoiselle du Portail mother of [René Dorléans] and soon after her husband agreed to her importuning to endure no longer the precedence of the sieurs du Portail in the church. And in order to make the quarrel irreconcilable she incited her brothers-in-law . . . to do unworthy acts including knocking over the sieur de Portail during a procession and the next day smashing and demolishing their arms.⁵⁹

Even the devoutest man had to go away on business, leaving his duties to be performed by his wife. Disputes followed the rhythms of the church calendar. While Marquis Marie *écuyer* was in garrison at Bordeaux, his wife took his place in the offertory procession in their parish church in Anjou. Marin de Semale disagreed, threatening her with his sword: 'By God's blood, you shall wait until my mother goes to make the first offering.' On 1 January 1551 she was knocked over in the cemetery and on the Feast of the Holy Cross following an unholy scrap ensued between the women as they marched behind the priest. Marquis Marie's daughter was pushed over and his wife retaliated by punching Semale in the face: 'Fuck you! Nasty, base arsehole.' A brawl erupted around the church and swords were drawn.⁶⁰ Pew disputes had a particular resonance for females because, as Margaret Aston has shown, since antiquity 'the ranking of the congregation from east to west, placing women farthest from the altar, chancel and holiest parts of the building rested on deep-seated fears of impurity'. As pews and fixed benches became part of church furnishing in the late Middle Ages women of status sat at the front of the nave with the low-status men standing at the back. A top woman might even be permitted to sit in the family pew in the chancel.⁶¹

Far from suppressing precedence disputes the first wave of Catholic Reform in France may have exacerbated them. The initial upsurge of popular piety in France from the 1580s relied greatly on female activism, and in many respects the movement lacked the control and discipline later associated with moves towards a strict inner piety. Processions and other traditional acts of public worship underwent a revival but not always with the intended consequences. The revival can only have heightened tensions between Marie Belle, widow of Henry de Chalons, and the wife and mother of the sieur de Verdilly in the church of Buc. For Belle, 'it was necessary to observe the traditional custom and to defer and give precedence to the house of Chalons who had been in possession for more than 200 years'. On 27 July 1610 the unfortunate priest had to choose which woman to bless first while facing the pistols and arquebuses aimed at him by the supporters of both sides.⁶² Women continued to take the lead in precedence

⁵⁹ AN X2a 1395, 20 Aug. 1588.

⁶⁰ AN JJ 261 fo. 162', June 1551. See also AN JJ 252 fo. 131, July 1537; 249/1 fo. 124, Sept. 1536.

⁶¹ M. Aston, 'Segregation in church', *Studies in Church History*, 27 (1990), 237–94.

⁶² AN X2b 1180, 10 Dec. 1610.

disputes in which their menfolk provided the muscle, but where matters of salvation were at stake they were more prepared to challenge men in their own right.⁶³ Anne le Clerc, the 52-year-old wife of Antoine de Meaux *chevalier*, forbade her tenants to attend mass in the disputed church of Surveilliers with her neighbour Gaspard de Verdelot *chevalier*, governor of Provins. Those who refused were beaten. One of Verdelot's valets had already been killed when in 1645 he himself was attacked by Anne riding in a carriage at the head of her men.⁶⁴

Women's voices were more prominent in private than in public. The moral force of a woman's voice carried precious weight in the family decision-making process. The language of feminine vengeance is much more than a convention of literature. Time and again it is the mother, wife, or sister who demands blood revenge or insists that the lie be given, often requiring the man to swear an oath.⁶⁵ Charles de Moutiers's murder in 1534 occurred after he had spoken ill of a woman who warned her kinsmen 'that if they did not avenge her . . . they would never be able to say they were gentlemen'.⁶⁶ The damoiselle de la Brinière went further in 1605, sending a valet with a duelling sword and a dagger to her eldest son: 'Tell your master that when he finds our enemies this is what to attack them with'.⁶⁷ Female gossip networks evaluated the worth of a man's honour. Rumours of pusillanimity damaged a man's reputation. When there were no impressionable young kinsmen around, lackeys and servants sufficed to do the dirty work.⁶⁸ The female voice was also a mollifier. While Nicolas du Han held at a family council at Charmes in 1479 that 'wherever Andrieu was to be found he should be killed', his wife held that he should only be beaten 'for the love of God'.⁶⁹ She did not prevail, but there were those whose counsel did.⁷⁰

SEXUAL REPUTATION AND HONOUR

Honour and shame are gendered categories. Female virtue in traditional societies is associated with chastity. But this did not generally apply at court and intimacy between noble men and women was accepted within certain boundaries, hence the proverb 'If not with virtue, at any rate with prudence.' Despite the colder moral climate of the seventeenth century noble bastards continued to be numerous and enjoy high status.⁷¹ Illicit love was ideally governed by chivalrous principles: for la Beraudière 'one should love one's mistress and not dishonour her: for to conserve her honour at the point of one's sword is the duty of a valiant gentleman'.⁷² Love affairs

⁶³ AN X2b 1191, 8 Jan. 1627; AD Maine-et-Loire E 2362, Sept. 1628.

⁶⁴ AN X2b 1224, 13 Dec. 1645.

⁶⁵ AN V5 1043*, 13 Jan. 1506; X2b 1193, 18 July 1629; AB xix 3346/1 fo. 19; Ribier, *Charlus-Champagnac et ses seigneurs*, 112; Floquet, ii. 447; Grand, *Anjony*, 79–82.

⁶⁶ Floquet, ii. 400.

⁶⁸ AN X2b 1181, 22 June 1612.

⁷⁰ Vale, 'Aristocratic violence', 174–5.

⁷¹ C. Grimmer, 'Les Bâtards de la noblesse auvergnate au XVII^e siècle', *Dix-Septième Siècle*, 117 (1974), 35–48.

⁶⁷ AN X2b 1180, 29 May 1609.

⁶⁹ AN JJ 206 fo. 53, June 1479.

⁷² Beraudière, *Combat*, 270.

were more acceptable where the man was of equal or higher status than the woman. Dangerous liaisons became more common during the reigns of the late Valois and early Bourbons because this was the age of the gallant, which a 1611 dictionary translates as a noble and virtuous man, but also as cunning and crafty. That Claude de Bouton's promise to marry his cousin's ward had been written in his own blood made his betrayal all the more heinous and his murder all the more warranted.⁷³ The gallant was the bastard offspring of the medieval knight errant: he sought out duels to test his courage and win glory; the other sign of his virility was his innumerable amorous adventures. The image was a popular one and Henri IV played the gallant king, his sexual prowess contrasting with the effeminacy of his heirless predecessor. Yet anyone who claimed gentility could play the gallant. The social and geographic mobility that characterized France in the century and a half after 1500 led to greater sexual democracy. *Mésalliance* was a widespread anxiety in a society where patents of nobility could be bought and any upstart could learn the trappings of civility and polite conversation. Olivier Dagenoux *écuyer* had to kill his widowed mother's lover because 'he was a commoner of unequal birth to her'.⁷⁴

Duelling was closely associated with sexual prowess. An English visitor at the court of Henri IV found Damien de Monluc-Balagny distinctly unprepossessing, but 'I was told that he was one of the Gallantest men in the World as having killed eight or nine men in single fight, and that for this reason the Ladies made so much of him, it being the manner of all French women to cherish Gallant men'.⁷⁵ Fights over women were the most common reason for duels, but this was a vast category that ranged from sordid bawdy house squabbles to the defence of the reputation of a sister, wife, or daughter. Even chivalric ideas of love were still in vogue. In 1589 Marivaux died in the last mortal joust in France when he challenged Marolles 'to break a lance for the love of ladies'.⁷⁶ It was the publicity of illicit liaisons rather than their immorality that was tantamount to a *bravade*. Bragging about one's conquests came naturally to the gallant. Antoine de Mures swore his friend Claude de Torcheseelon to secrecy after he had told him that he had found a mutual friend in bed with his daughter-in-law but the latter 'against his promise divulged it in several places', thereby sealing the fate of the male lover.⁷⁷ A public slur on a woman's honour was the easiest way to provoke one's enemy:

Pontgibaut bragged
Of having seen the fanny
Of the comtesse of Alais,
Who loved the ballet,
And that it was more charming than that
Of the damoiselle de Chalais.⁷⁸

⁷³ Floquet, ii. 482.

⁷⁴ AD Seine-Maritime G 3504, 27 May 1642.

⁷⁵ J. M. Shuttleworth (ed.), *The Life of Edward, First Lord Herbert of Cherbury, Written by Himself* (London: Oxford University Press, 1976), 50.

⁷⁶ Vulson, *Theatre d'honneur*, ii. 482.

⁷⁷ AN JJ 266 fo. 50^v, Apr. 1568.

⁷⁸ Tallement des Réaux, iii. 108.

The rape or seduction of a kinswoman invariably invited a violent response, especially if the man was deemed to be of insufficient pedigree.⁷⁹ If he was worthy enough he had to be persuaded to act honourably and marry her, or else issued with a challenge.⁸⁰ In 1637 the Brebard brothers gave the seigneur d'Ormoys a chance to marry their sister when they surprised the couple at gunpoint *in flagrante delicto*; when he declined they shot him.⁸¹ For the man more seriously intent on marriage it was better to press his suit on the family first lest suspicion be aroused, but this still left the problem of rivals who might have to be disposed of violently.⁸² As the tales collected in the *Heptameron* show, women were not passive actors in these dramas, but if they played the gallant they had to be more quick-witted than their menfolk. Its opening story is based on real events in 1520s Normandy, where the wife of the sieur de Saint-Aignan played off her two lovers—one du Mesnil, a lawyer, the other the bishop of Sées—and her husband so successfully that she persuaded the latter to murder du Mesnil when complications arose. Her husband had encouraged her affair with the bishop, but was so outraged by the attentions of a mere lawyer that not content with having him killed he mutilated the corpse and had it burnt.⁸³ She subsequently gave evidence against her husband, who was sent to the galleys, enabling her to lead, to the disapproval of the *Heptameron*, 'a more immoral life than ever'. By the mid-seventeenth century female dalliances still provoked public displays of fury, though by this date the admonishment of a woman was properly carried out in private.⁸⁴

Avenging female honour inevitably had political consequences: seduction required repayment in blood, rape was an announcement of enmity.⁸⁵ The trajectory along which illicit sex could propel the feud is illustrated by events which took place in the Velay around 1600. The sieur de Soeilles was at court when he learnt that his friend and neighbour Devèze was having an affair with his wife. He issued a challenge but Devèze turned up at the rendezvous with more men and wounded him. On campaign in Savoy that year they fought again and Henri IV dismissed Devèze from his service for attempted assassination, giving the other licence 'to attack him with advantage wherever he found him'. Litigation followed and Devèze had his property sequestered until their friends attempted a reconciliation. Soeilles had separated from his first wife, presumably because of her adultery, and a project to marry him to Devèze's sister was mooted. This was to be the means of Soeilles's revenge; he made her a promise and then refused to honour it: 'the most evil action a wicked man can commit . . . not content with

⁷⁹ AN JJ 259 fo. 222^v, Jan. 1549.

⁸⁰ AN X2b 1181, 28 Mar. 1612; Floquet, ii. 483.

⁸¹ AD Seine-Maritime G 3504, 7 May 1641.

⁸² L'Estoile, *Registre-journal*, ii. 201; AN X2b 1199, 19 May 1633; JJ 257/3 fo. 29^v, Jan. 1547.

⁸³ AN JJ 239 fo. 48^v, July 1526, suggests that the mutilation and burning of the body are not far from the truth. Mesnil is described as a 'man of the law (*practique*)'.

⁸⁴ AD Seine-Maritime G 5010, 22 Sept. 1657.

⁸⁵ Pierre de la Tourette abducted his wife before returning her four days later; he was killed in a battle between the clans in the Vivarais in January 1548: AN JJ 261/2 fo. 309^v, Sept. 1552. See also AN X2b 1182, 18 Apr. and 6 Aug. 1617; Massip, *Cançon*, 192–3.

having ruined his enemy's property and reputation, he extended his vengeance to the innocence of this girl who had given herself to him.' This tale had a moral ending: God permitted Devèze to surprise his man and finish him off but he was not permitted to savour victory and was gunned down in turn by Soeilles's kinsmen.⁸⁶

Promises of marriage were enforceable in the courts and unsurprisingly most of those convicted preferred to honour their obligation rather than suffer the death penalty.⁸⁷ Women also protected their honour with defamation suits, but the publicity could be damaging. François d'Allemant had tried to force the father of his sister's illegitimate child to marry her, but the Parlement of Grenoble simply became the origin of 'many false and scandalous rumours concerning the honour of his house', and François was constrained to kill the lover in order to silence them.⁸⁸ Settlements were better than lengthy litigation. Laws that disinherited heirs or imposed corporal punishment for clandestine marriage were too harsh to enforce with regularity and the Parlement of Paris preferred financial reparation, behind which probably lay an accord. In 1650 it forbade lesser courts to condemn seducers to death if they would not marry their victim, instructing them to impose fines. It did confirm the disinheritance of the eldest son of the baron d'Orbec in 1643, but after all he had chosen to marry a servant.⁸⁹

CONCLUSION

Historians have explored issues of male right and patriarchal control of property largely in terms of authoritarian state building and social control. Insufficient attention has been paid to the ways in which royal edicts were mediated by customary law and the complex interplay of kin relations. There was no pre-patriarchal medieval golden age ruptured by the Reformation. The sexual exploitation of the lowly in particular had always been associated with rights of lordship. 'Mediation' legitimized this power relationship: the rape victim's family received monetary compensation, thereby establishing that peasant women had no honour and confirming the lord's dominion. Peasants welcomed laws that curtailed such abuses.⁹⁰ The defence of François Dautheville, a serial rapist, in 1493, that he had grabbed the wife of one Maulny in Sablé 'because gentleman freely do', would have been unacceptable a century later.⁹¹ Higher up the social

⁸⁶ Audiguier, *Le Vray et ancien usage des duels*, 512–34.

⁸⁷ Behind which may have lain a settlement: AN APP AB 24 fo. 107, 17 Aug. 1619. See also AN AP AB 24 fo. 13^v, 16 Mar. 1619; 47 fo. 86^v, 15 Jan. 1660.

⁸⁸ See for example: J. du Fresne, *Journal des principales audiences du Parlement*, 7 vols. (Paris, 1757), i: 1622–60, 112, 147, 226, 230, 880.

⁹⁰ I rely on the fundamental insights of C. Povolo, *L'intrigo dell'onore* (Verona: Cierre, 1997). Charles de Montvallat was interrogated by the Great Assizes of the Parlement of Paris for abusing the right of the lord's first night (*droit de cuissage*): AN X2b 1268, 15 Oct. 1665.

⁹¹ AN JJ 226/2 fo. 88, Feb. 1493.

ladder forced marriage and abduction was a form of maintenance: good lordship required that the marriage prospects and thus career potential of one's men be maximized. The entourage of the Great Condé in the mid-seventeenth century was notorious for its libertine behaviour. Clients were expected to get the consent of the prince before the abduction. Thereafter he would provide safe houses, intercede with the victim's family, and ultimately help to obtain letters of remission.⁹²

To we moderns, discipline lacks the positive connotations it had for people during the Reformation.⁹³ In recent years historians have been busy uncovering the techniques and apparatus of subordination, with understandable sympathy for the oppressed. Our revulsion for the sometimes brutal treatment meted out to transgressors and deviants heightens awareness of our own precious individual freedom. But to judge our ancestors by modern standards is anachronistic: the difficulties they faced were not the imagined product of moral panic. While patriarchal authority is usually associated with the oppression of women, legislation also protected women (and therefore property) from predatory males: rape, abduction, and false promises of marriage were significant problems, and sentences for errant men became much harsher. In a few cases capital sentences were carried out. Patriarchal control entailed greater male responsibility. It comes as no surprise that women were at the forefront of moral rearmament throughout the early modern period, from the evangelicals of the early sixteenth century to the nuns of Port-Royal and the cleansing of Versailles by Madame de Maintenon, not to mention the female face of French Calvinism.

In any dynastic state family and marriage will dominate the political landscape. High politics revolved around issues of sex. That *mésalliance* disrupted social order was not a figment of the fevered imagination of moralists, for seduction and abduction were not only motivated by love but also by political advantage. A double standard still operated and male sexual virility continued to be highly prized, but after the Reformation the libertine gallants were opposed by the firebrands of moral rearmament. Louis XIII's piety and chasteness were too much at odds with aristocratic culture and did little to endear him to the political community. But the ways in which unbridled male sexuality were disruptive to political order can be seen in his father's behaviour. The popular image of Henri IV as the 'roi gallant' whose court kept a restive aristocracy entertained applies better to the middle years of his reign. After his marriage to Marie de Médicis in 1600 royal propaganda tried unconvincingly to reinvent him as a dutiful family man, an image that in his final years became more and more implausible.⁹⁴ The

⁹² Haase-Dubosc, *Ravie et enlevée*, pt. 2.

⁹³ More elegantly put by D. MacCulloch, *Reformation: Europe's House Divided, 1490–1700* (London: Allen Lane, 2003), 591–2.

⁹⁴ K. Crawford, 'The politics of promiscuity: masculinity and heroic representation at the court of Henry IV', *French Historical Studies*, 26 (2003), 225–52.

overt favour displayed to his mistresses and bastards over his second wife and children did little to lay the foundations for future stability. The chaos that followed his assassination in 1610 eclipsed the problems caused by Henri's own transgressive behaviour. Henri's insatiable heterosexual demands, once accepted as a mark of kingly virility, were not diminished as he approached 60 and now began to provoke widespread revulsion. Some were happy to offer their wives and daughters for political advantage, but the bar room atmosphere of his court was not to all tastes and more refined souls stayed away. Lechery that had no respect for honour or status set a bad example to the young. In the last two years of his reign he was fatigued by the preoccupation with patching up quarrels and mortified in 1608 when his beloved Monluc-Balagny, having offended a duke in a love tryst, was set upon by fourteen assassins.⁹⁵ The issuing of another severe edict against duelling the following year is indicative of the pernicious consequences of the tone at court. Even princesses were expected to make themselves available for the king's harem, and the most serious political crisis at the end of the reign occurred in 1609 when the prince de Condé fled the kingdom in order to protect his wife from the king's clutches.

⁹⁵ Sully, 'Mémoires', 238, 263, suggests he was killed; in fact he was mortally wounded in a duel in April 1612.

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PART III

VIOLENCE AND THE POLITY

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Quantifying Violence

Those who came to adulthood during the Wars of Religion were aware that they lived in unusually violent times. Crisis is a much overused word by historians, but even after the end of the civil wars contemporaries used this word to describe the duelling craze: in 1610 the sieur de Chevalier talked of the ‘crisis of feuds at this time’.¹ The impact on individual lineages could be disastrous: the Lizet in the 1580s and the Anjony in the 1620s each lost three males in quick succession as duelling made the traditional feud bloodier.² Famous duellists fought dozens and sometimes scores of combats, the baron d’Aspremont once managing three in a day; the chevalier d’Andrieux had fought seventy-two before his execution aged 26.³ The propensity to feud and duel ran in families: in Picardy, the brothers Paul and Pierre de Belleval murdered Antoine du Tertre in 1578; Paul’s son was condemned to be beheaded in 1621 for duelling; and his son in turn fled the kingdom after fighting a duel.⁴

The final section of this book traces the growth of vindictory violence over the long term, its political ramifications, and the outcome of royal repression. But impressionistic evidence takes us only so far. The relationship between levels of violence and political events needs to be plotted with more precise coordinates. By quantifying noble violence we can better chart the impact of civil war and the success or otherwise of royal pacification. However, the sources are not only opaque—it is not always possible to distinguish an accident from an ambush, or a legitimate action during civil war from a private feud—their survival is serendipitous, distorting the results. The rich and valuable run of letters of pardon, stretching back to the fourteenth century, kept in chancery records, the *Trésor des chartes*, ends abruptly in 1568. The Parlement of Paris’s criminal dossiers, the *pièces d’instruction*, are substantially intact only from the 1620s and it is moot how far they reflect wider patterns of behaviour: while there were 110 investigations of duels in the first quarter of the eighteenth century (when the phenomenon is generally thought to have been in decline), there are only fifteen for the first quarter of the seventeenth century (the period of its apparent height).⁵ The registers of

¹ G. de Chevalier, *Les Ombres des defunts sieurs de Villemore et de Fontaines* (Paris, 1610), 37.

² Carroll, ‘The peace in the feud’, 79; Grand, *Anjony*, 125.

³ Tallement des Réaux, vii. 298–9.

⁴ R. de Belleval, *Notices historiques et généalogiques sur quelques nobles de Picardie* (Amiens, 1863), 56.

⁵ Billacois, *Le Duel*, 114–15.

sentences issued by the Parlements are a better prospect for statistical analysis, but would require intensive study by a research team, so vast are they. Conceptually too, there are problems with an unreflective attitude to figures: for it may be that contemporaries did not live in a more violent society than their medieval ancestors but were simply more sensitive to certain types of violence. The religious revival of the sixteenth century certainly heightened awareness of sin.

DUELLING

Duelling is a good place to start because François Billacois has attempted some rough calculations. Under Henri IV informed contemporaries put deaths from duelling at between 6,000 and 10,000, or approximately 350 per year. What percentage was this of the total nobility? There were approximately 100,000 gentlemen in France in 1560, constituting 1–1.5 per cent of the population depending on the region, a proportion whose gradual decline from a late medieval peak continued into the seventeenth century.⁶ It is impossible to know the balance of commoners to nobles involved in duels. It is quite clear however that while the casualties look large on paper they account for a small percentage of the total male gentle population. The duel did not threaten the nobility with destruction, let alone French society as a whole. Nevertheless, even if only half those killed in duels around 1600 were gentlemen, the resulting homicide rate of 175 per 100,000 is far higher than any contemporary society. (Though such comparisons are largely meaningless South Africa had the highest murder rate in the world in 2000 with homicides running in excess of 50 per 100,000). For the rest of the seventeenth century there is less data, except for the unsubstantiated comments of the duc de Gramont who ‘counted’ 940 gentlemen killed in duels between 1643 and 1654, or just over seventy-eight per year, once again a high homicide rate by modern standards.

In the final analysis, lacking a homogeneous and continuous chronological source Billacois was reduced to pooling heteroclite data from diverse sources, providing only an impression of duelling activity which suggested five periods of high activity: 1604–7, 1611–14, 1621–6, 1631–3, and 1652–3. The lowest periods of activity were 1618–21 and 1637–49. Billacois’s claim that foreign war attenuates the duel and that civil war encourages it is rational, but not a conclusion that can be drawn from these diverse periods—1604–7 and 1631–3 were periods of relative external and internal peace. Disproportionate reliance on literary evidence neglects the mundane duels in frontier garrisons in favour of Parisian events. In any case, the peak of 1631–3 is distorted by royal propaganda, the quasi-official *Gazette* reporting in detail the duels and disorders of the retinues of Louis XIII’s exiled brother and mother in Brussels.

⁶ Estimates of the number of gentlemen vary from 25,000 (surely too low) to 100,000. The most recent analysis tends towards the higher figure: M. Nassiet, *Parenté, noblesse et états dynastiques XV^e–XVII^e siècle* (Paris: EHESS, 2000), 23.

The conventional periodization in which duelling proper begins in the third quarter of the sixteenth century, reaching its apogee in the first half of the seventeenth century before being suppressed by Louis XIV, is incorrect. The origins of duelling in France can be traced back to the 1520s through pardon letters; it only comes to light in literary sources when it became fashionable and linked to politics at the court of Henri III. Louis XIV's proclamation of triumph over the menace of duelling was given credence by Voltaire and is still widely accepted as fact. And yet, beyond the court there is little evidence of successful royal repression. The abbé de Saint-Pierre challenged his readers to name five men who had been executed for duelling under the Sun King, even though he claimed that there were on average 300 duels a year during the reign.⁷ Recent research has argued for the continuing vigour of the duel into the eighteenth century. One out of ten male corpses (124 out of 1,130) deposited at the Paris morgue in the eighteenth century had died from a sword wound and a half of all murder victims were killed by swords. Louis XIV did not succeed in clearing the Parisian streets of duels and, though the number of duelling deaths declined after the end of his reign until 1730, this was followed by a sharp rise, so that during the middle years of Louis XV's reign deaths from duelling reached a new peak, surpassing the average annual levels under his predecessor. These figures support the contention that duelling was a long-term phenomenon in France and that high levels of violence in general were largely unaffected by repression in the seventeenth century.⁸

GLOBAL COMPARISONS

Figure 11.1 is a survey of the deaths of 772 gentlemen in duels and other forms of vindictory action in the period 1550 to 1659 derived from all the sources, documentary and literary, I have consulted. Although equating to an average of only 7 deaths per year, these figures still show a homicide rate in excess of contemporary developed societies (in 2000 the comparable figures for France and the USA were 1.79 and 5.64 respectively). The true number of deaths would have been far higher: the data represents only a fraction of total vindictory actions and makes no claim for scientific precision. It does not measure overall levels of violence, neglecting for example duels that ended bloodlessly, domestic homicide, acts of 'legitimate' war, and acts motivated largely by religious sentiment, such as the Saint Bartholomew's Massacre.⁹ It measures only the deaths of identifiable men of gentle status, and so the twenty-eight anonymous people who died in the Mailly-Barjot feud (1583–c.1610) are unrecorded. As ever, the statistics tell us more about record survival than actual levels of violence: the low figure for the 1590s attests to the collapse of bureaucracy and the high levels of violence in the

⁷ Billacois, *Le Duel*, 303 n. 34.

⁸ Briost et al., *Croiser le fer*, 349.

⁹ Thus I include the deaths of François de Guise and admiral Coligny because they resulted from a feud, but not the latter's followers.

1650s demonstrate the survival of huge numbers of letters of pardon issued by Louis XIV at his coronation and better record keeping about duels. Establishing what was a duel and what was not is always difficult, especially before the term was widely used, i.e. before 1600.

Before the mid-seventeenth century the duel always accounted for a minority of total offences. Duelling and violence were not negligible before 1562 but levels grew steadily during the Wars of Religion, though the fact that the growth can be traced suggests that royal administration continued to function until 1589. The animosities caused by the Wars of Religion continued into the first decade of the 1600s: while religious passions may have abated, the noble feud was as virulent as it had been at the height of the civil war. The

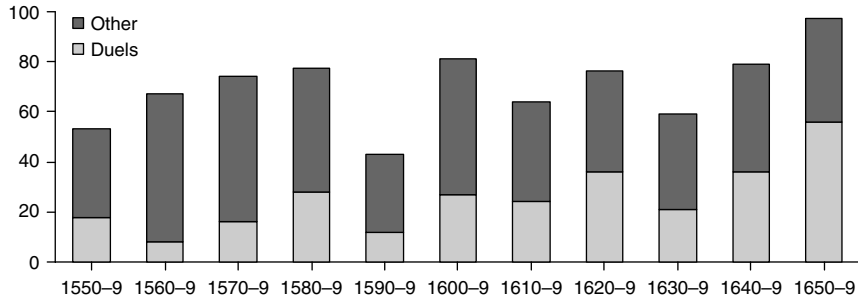


FIG 11.1. Deaths of gentlemen in vindicatory actions, 1550–1659.

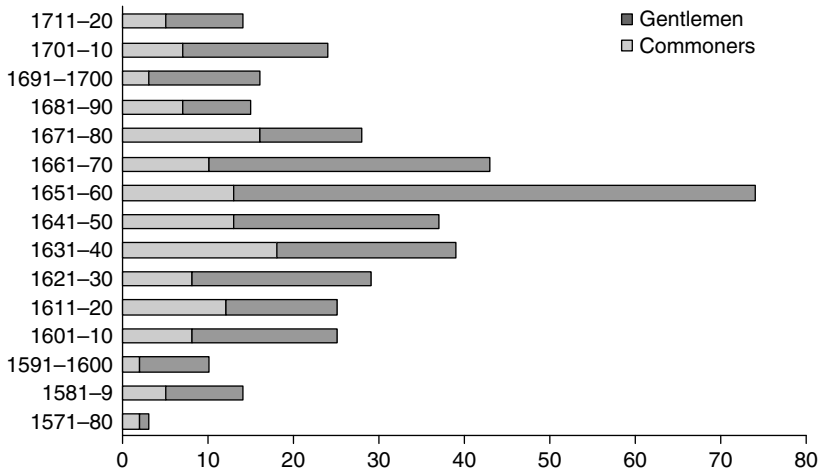


FIG 11.2. Pardons presented to the Parlement of Aix, 1571–1720.

Source: AD Bouches du Rhône B 3480*/3481*.

first peak of duelling in the 1620s corresponds to the golden age of the duel, and the fall-off in the 1630s shows the moderate success enjoyed by Richelieu in curbing it, if not other forms of violence. While high figures for the 1640s and 1650s attest to the ability of the state to record, punish, and mediate violence with letters of pardon, they also suggest that noble culture was not seriously altered by the blandishments of Church and state, and feuding and duelling continued to be resistant to royal attempts at repression. The problems associated with the regency of Anne of Austria and the civil wars of the Frondes (1648–53) are evident. The impression that noble violence persisted throughout the seventeenth century is given support by a more coherent source: the letters of pardon registered by the Parlement of Aix which survive in their entirety from 1571 to 1771 (Fig 11.2). The high ratio of gentlemen to commoners in the figure is reflective of one local peculiarity and one wider phenomenon. In Provence the overlap between noblesse and notability was particularly marked, the merchants of Marseille for example having the right to call themselves esquires. The graph also shows that as the seventeenth century progressed nobles in Provence, as in the rest of France, increasingly presented their letters to a Parlement rather than a subaltern court. Before 1600 they either did not bother to obtain letters at all, or else presented them to courts thought to be less rigorous. A new king will always distort the figures. The enormous numbers of supplicants during the period 1651–60 was due to the mass issue of letters with the Great Seal at Louis XIV's entries into Aix and Marseille in 1660—another example of his traditional approach to peace-making. Nevertheless the mid-seventeenth century witnesses the peak of noble pardon seekers when numbers are consistently in double figures. Only after 1680 do the numbers once more drop back to single figures.

EXECUTIONS AND PUNISHMENT

Another way of mapping violence and the responses to it is the incidence of execution. We have already seen that while malefactors were routinely sentenced to corporal punishment by the courts these were rarely carried out in practice, the reasons for which ranged from the inability to catch the accused to the distaste for spilling noble blood. The figures confirm this pattern. In 1535 the Parlement of Paris carried out six decapitations for homicide but only one in 1545, in addition to two in absentia. In 1545 it issued three sentences of breaking on the wheel, all of them carried out by the Great Assizes of the Parlement which were periodically sent out to the provinces with the purpose of enforcing sentences against the social elite.¹⁰ Their success was sporadic. The Great Assizes of Poitou in 1531 issued thirteen death sentences against men of various social groups and carried

¹⁰ B. Schnapper, 'La Justice criminelle rendue par le Parlement de Paris sous le règne de François I^{er}', *Revue de l'histoire de droit français et étranger*, 52 (1974), 252–84.

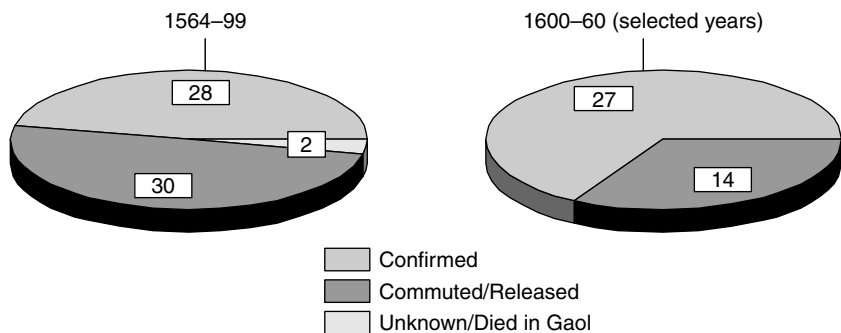


FIG 11.3. Appeals to the Parlement of Paris by nobles against the death sentence.

out seven of them, executing three esquires and an archer of the royal guard. There was an even lower success rate in the 1579 Great Assizes which issued execution orders against dozens of noblemen, seemingly only seven of whom were actually decapitated.¹¹ Although it is likely that numbers of decapitations rose during the Wars of Religion they were not usually for vindictory actions but for brigandage, treason, and various religious crimes. In 1563 four Protestant nobles were executed together in Paris, for murder and pillage during the recent civil wars.¹² Parisians were treated to at least one decapitation per year between 1571 and 1576.¹³

Figure 11.3 suggests a hardening of attitudes towards noble pardon seekers in the seventeenth century. This rigour, at a time when the utility of capital punishment for all but the most heinous crimes was being called into question, is confirmed by the more common use of the dishonourable punishment of breaking on the wheel for nobles when it upheld five such sentences in the seventeenth century compared to only one in the sixteenth. Nevertheless, the total number of death sentences against nobles carried out after appeal remained minuscule: 0.8 per year on average in the sixteenth century rising to around one per year on average in the seventeenth.¹⁴ Moreover, those convicted for crimes against the natural order, such as incest and parricide, were over-represented in these figures. The total number of appellants of all social groups executed remained stable throughout the sixteenth century at around seventy per year, falling to half this figure after 1635 (out of a population of 8–9 million).¹⁵ The gentle proportion of

¹¹ Imbert, 'Les Grands Jours de Poitou', v. 167.

¹² P. Guérin, 'Délibérations politiques du Parlement et arrêts criminels au milieu de la première guerre de religion (1562)', *Mémoires de la société de l'histoire de Paris et de l'Île de France*, 40 (1913), 113.

¹³ AN X2b 91, 'Noms et surnoms de ceulx qui ont este executez a mort par arrestz de la cour depuis le 5 may 1571 jusques au 2 jour daoust 1576'. This list of sixty names is not exhaustive. There were at least two decapitations in Paris in 1574 and 1576.

¹⁴ These figures cover thirty-three years for the sixteenth century and twenty-seven for the seventeenth. A full list is given in the bibliography.

¹⁵ A. Soman, 'Sorcellerie, justice criminelle et société dans la France moderne (l'ego-histoire d'un Américain à Paris)', *Histoire, économie et société*, 12 (1993), 201.

the total number of condemned thus rose, but it was still far more common to see a decapitation in effigy than in the flesh. More common still was the sight of the poor and defenceless being executed: between 1565 and 1625 the Parlement of Paris executed 625 women for infanticide.¹⁶ Only exceptionally were nobles accused of acts of duelling or revenge executed for their crimes. What shocked contemporaries about the Andrieux trial in 1638 was not so much that he had fought so many duels, for which he had already been absolved by the privilege of Saint-Romain, but rather the defenestration of a girl who had resisted his advances and her subsequent rape.¹⁷

These low figures for execution were replicated in the provinces. In Upper Auvergne noblemen figure disproportionately in the records of the *maréchaussée*, accounting for 21.2 per cent of the 515 people accused of violent crime in the period 1587–1664 and 13 per cent of the 399 victims of violent crime. Punishment was rare: in 1587–95 there were six decapitations or 0.67 per year; 1606–17 seven at 0.64 per year; 1627–47 three at 0.37; 1648–64 two at 0.22 per year.¹⁸

CONCLUSION

The very high death rates among gentlemen should not surprise us. Despite economic and social change the French nobility continued to define itself by the profession of arms. More surprising is that violence continued to remain high throughout the first half of the seventeenth century; attempts at repression seem to have had only moderate and short-term success. Controlling noble violence was imperative not only because of the way it destabilized local society but because nobles were disproportionately responsible for acts of violence: the Poitevan nobility was a little less violent than their Auvergnat counterparts, accounting for more than 12 per cent of the 232 criminal cases investigated by the Assizes of Poitou in 1634, and they were more likely than commoners to be involved in violent crime: homicide accounted for 20 per cent of noble crimes.¹⁹ Nobles were expected to set an example for the rest of society. The opposite was in fact the case: an unshakeable belief in the right to violence lay at the heart of noble egotism. The sieur de Chevalier's 1610 prescription that only when 'quarrels are removed will your majesty be at peace' was easier said than done.²⁰

¹⁶ Ibid. 208.

¹⁷ This was the straw that broke the camel's back: he already had many enemies.

¹⁸ It is moot whether these sentences were carried out. The fall in decapitations was partially made up for in sentences of breaking on the wheel, of which there were three in 1606–17, one in 1627–47, and two in 1648–64, but not all of these were nobles: Greenshields, *An Economy of Violence*, 241.

¹⁹ J. Cornette, *La Mélancholie du pouvoir: Omer Talon et le procès de la raison d'état* (Paris: Fayard, 1998), 207.

²⁰ Chevalier, *Les Ombres*, 107.

The Crisis of the Religious Wars

The civil war and political instability that had characterized much of the fifteenth century was a distant memory by the mid-sixteenth century. Despite bankruptcy, economic stagnation, and the spread of heresy, France in 1559 had witnessed over half a century of political stability and internal peace, which had created the conditions for a Renaissance, urban and economic as well as cultural. Even the accidental death of Henri II did not at first seem to augur ill for the Valois dynasty: he left four male children, the eldest of whom, François, was, at 15, on the cusp of manhood. In fact, the century following Henri II's death would be characterized by dynastic instability, only coming to an end with the personal rule of Louis XIV and the birth of the dauphin in 1661. Despite quiet periods, this century saw not only one weak dynasty replaced by another, but the organization of the commonwealth and the nature of monarchy called into question. True: in the thirty-six years that began with the First War of Religion in 1562 and closed with Henri IV's peace with Spain in 1598, warfare was not continuous and civil war was less widespread and accounted for a minority of years in the first half of the seventeenth century. But we are only tangentially concerned with high politics, aristocratic rebellion, and civil war, to which a vast historical literature has been devoted. These specks of foam rode on the backs of deeper provincial and local seas: the currents of dispute and the tides of feud were stirred by the ripples emanating from the political centre, but they were not dictated by them. Thus although the regime of Henri IV marks a watershed in traditional political history, for feuding parties it had less discernible impact or merely interrupted their quarrels. For historians of violence, the traditional chronology is an imperfect guide: the deep scars caused by the Wars of Religion were not quick to heal after 1598, the infection of violence and disorder had spread to all areas of the body politic, and old wounds were reopened and sometimes inflamed by the remedies proposed for their amelioration.

FEUDING BEFORE THE WARS OF RELIGION

Contemporaries too were aware that the longevity and the intensity of civil war cannot be wholly attributed to high political events. For la Beraudière, writing in 1608, civil war was caused by an abundance of feuds [*querelles*] and he calculated

that the Burgundian–Armagnac Wars of the fifteenth century lasted fifty years because of this.¹ Most commentators displayed less historical knowledge but were aware that they lived in unusually violent times and looked back to a golden age of peace. At the beginning of the Wars of Religion marshal Montmorency commented on the death of the duc de Guise in 1563 ‘that until then assassination was rare in France . . . now no one is assured’.² Twenty-five years later the Protestant la Noue argued that not only were feuds rare among gentlemen before the civil wars but morals purer too and that civil war and immorality had formed this ‘hideous animal’, the feud [*querelle*].³ These commonly held sentiments contain some truth and, shaped as they are by the universal belief in moral decline, also a certain amount of wishful thinking. The evidence I presented in Part I shows that duelling *alla mazza* had become a fashionable means of deciding points of honour as early as the 1520s and embedded in camp life and noble society by the 1550s. The evidence for feuding and assassination is rarer, but we should be wary of coming to hasty conclusions on the basis of fragmentary evidence.

The survival of the feud into the sixteenth century can be illustrated. Enmity between the Gramont and the Luxe in the Pyrenees is first mentioned in 1316 and lasted for another 300 years.⁴ But in its earliest manifestation this was a local affair tangential to French concerns. Louis XI was better able to devote himself to the complicated affairs of the succession of the kingdoms Navarre and Aragon, which he did through his sister Madeleine, who married the comte de Foix in 1462. The original feud became entangled in the complicated dynastic politics of the trans-Pyrenean kingdoms and was particularly vicious in the 1470s. Madeleine’s attempts to impose a peace between the parties at Pau in 1477 in front of the political communities of Béarn and Foix did not last. The feud had already reignited when the succession of the kingdom of Navarre was once again disputed in 1483 between rival branches of the Foix family. Catherine de Foix and her husband Jean d’Albret at first looked to the Gramont for support, but later switched to the Luxe. In 1486 Roger de Gramont complained about murders committed by the Luxe and their adherents. There were further killings in the 1490s and a commissioner dispatched by Charles VIII once more failed to make peace. There were some isolated successes however: in 1497 the Gramont made peace with Luxe adherents in the pays de Soule. The feud abated in the sixteenth century, a testimony to the crown’s role in pacifying the periphery, but it was not over: a definitive peace was never made—there were two failed marriage projects in 1497 and 1535—which aptly demonstrate the limits of Valois authority.

Much lower down the social scale, but closer to the heart of the kingdom, the Anjony–Tournemire feud had its origins at the end of the fourteenth century, turned violent in the 1430s, and deadly in the 1460s. It was also dormant in the reign of Louis XII.⁵ The Tournemire were servants of the local princes, the dukes

¹ La Beraudière, *Combat*, 193.

² Quoted in Germa-Romann, *Du bel mourir*, 222.

³ *Discours politiques et militaires*, 244.

⁴ Jaurgain and Ritter, *La Maison de Gramont*, ii, appendix B.

⁵ Grand, *Anjony*.

of Bourbon, but the Anjony rose from the Aurillac bourgeoisie through royal favour and they were better able to make their complaints heard in Paris. Unable to stop the rise of their rivals with violence, Tournemire disgruntlement manifested itself in support for the duc de Nemours's abortive revolt against Louis XI. In 1515 Guy d'Anjony purchased more land, giving him more than a quarter of the seignery of Tournemire and a claim to pre-eminence in the parish church, which he reinforced with a benefaction of 600 *livres* for a weekly mass. Tournemire anger focused on Claude d'Anjony, curé of nearby Marmanhac, who was murdered in 1523. The murderer, Jean bastard of Tournemire, was protected by the seneschal of Auvergne, a kinsman. Tournemire triumph was however short-lived: rival parts of the clan fell out and for the next twenty years fought among themselves; the château of Tournemire was itself attacked and destroyed in 1545. On the eve of the Wars of Religion the Anjony–Tournemire feud had abated, but the potential for it to reignite, especially over control of the parish, still existed, though it would only do so in the 1590s.

Both these feuds are exceptional in their longevity and bloodiness. But they were not unique. At the end of the fifteenth century there is evidence of feuds, particularly in the far south-west, but also in the Marche, Poitou, and Forez.⁶ In the 1520s the evidence from northern France becomes more plentiful: in Normandy in 1523 a dozen kinsmen of the damoiselle d'Ailly took revenge on her murderer, Antoine la Moricière, queuing up to plunge their weapons in his corpse, as well as burning down his house.⁷ Feuding relationships are difficult to establish through the pardon rolls alone, but the abundant materials for vengeance killing, armed demonstrations, and duelling points to the survival of the feud into the sixteenth century. Paris was not immune: in 1526 François Endras was assassinated as he left mass at Saint-Gervais, following his recent success in a lawsuit.⁸ There were regional variations: the protracted Habsburg–Valois Wars legitimized border raids, cattle rustling, and brigandage on the frontiers.

Nevertheless, two patterns emerge from the evidence. First, feuding and, from the 1520s when it comes into fashion, duelling were restricted to the lower echelons of the nobility. The Valois, or more accurately their lieutenants in the regions, had at least dampened down the more serious feuds by around 1500. Duellists tended to be soldiers or gentlemen who were on the make or who felt their status under threat. Aristocrats had no need to do this, and if they felt inclined to make a challenge would first have had to ask the king's permission—invariably refused—or risk his wrath. Secondly, while there is plenty of evidence for isolated revenge killings these rarely developed into vendettas. Feuding consisted of limited and calculated responses: it was more likely to be conducted against peasants, crops, and property rather than as a

⁶ Podanges v. Montbec; Rousseau v. Appelvoisin; Gallars v. Lostanges; Saint-Julien v. Piedieu; Montchal v. Argental.

⁷ Floquet, ii. 388.

⁸ V.-L. Bourrilly (ed.), *Le Journal d'un bourgeois de Paris sous le règne de François I^{er} (1515–1536)* (Paris: Picard, 1910), 243.

series of tit-for-tat killings. It was the Wars of Religion that turned the feud into the blood feud; revenge killing into vendetta.

The reasons for the success of the crown in limiting elite violence, particularly as social mobility was likely to create rather than reduce tensions, are manifold. Brantôme perceived that the mood was set by those at the top and that it was greatly in the public interest that they show restraint: 'there is no need for the blood of *grands* to be sold cheaply in private quarrels, like us other lesser fellows.'⁹ From Louis XI to Henri II kings were better able to satisfy the demands and manage the aristocratic elite aided by economic expansion and dynastic stability. Kings in this period were on the whole charismatic—a vital ingredient of successful peacemaking—permitting the traditional mechanisms of peacemaking to function: the court of the constable brokered affairs of honour and the knightly order of Saint-Michel (founded in 1469) promoted fraternal bonds as well as fidelity to the king. More significant was the huge expansion in the size and complexity of the royal court in the period 1460–1560. Looking back, Catherine de Médicis gave the impression that policing of the court was effective under François I and Henri II. Then 'no man was so bold as to dare injure another in their court, for if it had been heard of, he would have been brought before the *prévôt de l'hôtel*'.¹⁰ In fact, manners continued to be rough and ready but it was possible for the king and his officers to dispense justice on the spot. In 1552 the privy council issued an order against giving the lie at court 'because none should be unaware that the king's house is a *lieu de franchise* and it is forbidden to seek revenge'.¹¹ If the duel was beyond royal control in the 1550s it did not take hold at court and remained largely confined to the military encampment and frontier life. This would change in the following decade.

In some respects, the areas of potential dispute were narrowing. Conflicts over benefices were much reduced by the Concordat of Bologna in 1516, and though office-holding grew sword nobles did not yet feel threatened by the office-holders as a group. The Renaissance reinforced rather than undermined the egotism, martial instincts, and requirement to test one's honour that epitomized the French knight. The Habsburg–Valois Wars mark the Indian summer of French chivalry and provided a legitimate outlet for warrior aggression and bloodlust. The struggle for earthly recognition was achieved on the battlefield and the hunger for honours, plunder, and adventure sated on foreign fields.

CALVINISM AND THE LANGUAGE OF VENGEANCE

Had Henri II not died suddenly in a jousting accident in the summer of 1559, France would still have faced formidable problems. The demobilization of thousands of unpaid and unemployed soldiers in 1559–60 following peace with the

⁹ Brantôme, vi. 462.

¹⁰ Quoted in Potter, *A History of France*, 86.

¹¹ Ibid. 87.

Habsburgs would have been a serious threat to public order, without the twin problems of heresy and the narrow power base of the Guise-dominated regime of his heir, François II. Fissures among the political elite undermined traditional peacemaking, the mechanisms of which had functioned well over the previous century. The authority of the constable and marshals diminished to the advantage of provincial governors for whom arbitration was often a means of bolstering their own position. Bankruptcy dried up royal patronage to such an extent that aristocrats, more than ever, had to compete to protect their interests and those of their followers. The order of Saint-Michel was conferred willy-nilly on the unworthy and the politically suspect, losing its exclusivity and undermining any sense of fellowship and obligation.

But by far the most serious problem facing the kingdom in 1559 was schism. Calvinism's threat to the status quo derived from its appeal to the social elite. No more than between one-quarter and one-third of the French nobility supported the Reformation at the movement's peak in the early 1560s, but numerical disadvantage was more than offset by organization and solidarity.¹² Calvinist nobles embodied the ideals of the Church Militant, and the requirement for them to testify to the Truth meant that there were more committed activists among their ranks than among their Catholic neighbours. Calvin stressed the need to obey the duly constituted authorities. Far from being seditious, his ideas for reform and moral renewal promoted order; but Calvinists' belief in the righteousness of their cause and their antipathy for the abominations of popery ran counter to this claim. Calvin personified the contradictory impulses of his teachings. While remaining aloof from the Conspiracy of Amboise in March 1560, an attempt to overthrow the Guise regime, he was implicated in an attempt to seize Lyon later that year. Moreover, Geneva was unable to temper the ardour of the faithful and control the rapidly expanding congregation, whose sense of righteousness and victimhood was reinforced by the psychology of Calvinism which saw the hand of Providence in events. The death of François II in December 1560 so soon after his father was a sign of God's judgement on those who tried to suppress the Word. Calvin's chief lieutenant, Bèze, wrote the following poem at this time:

Tool of bad men, Henri, thy thirst for blood
 It retribution found,
 From thy pierced eyeball gushed a purple flood
 Which crimsoned all the ground
 Following his father in thy mad career,
 François, unhappy youth,
 Thou felt'st God's arrow cleave thy guilty ear
 Fast closed against God's truth.¹³

¹² P. Benedict, 'The dynamics of Calvinist militancy: France, 1555–1563', in P. Benedict, H. van Nierop, and M. Venard (eds.), *Reformation, Revolt and Civil War in France and the Netherlands, 1555–1585* (Amsterdam: Royal Netherlands Academy of Arts and Sciences, 1999).

¹³ A. Duke, G. Lewis, and A. Pettegree (eds.), *Calvinism in Europe, 1540–1610: A Collection of Documents* (Manchester: Manchester University Press, 1992), 81.

Unequivocally condemned by the New Testament (Matt. 5: 38–9, 43–4), vengeance belongs to God alone (Rom. 12: 19–21), but the Old Testament is more ambiguous. As instruments of God's will, Protestants could justify attacks on papists as a construal of divine vengeance. Revenge for the burning of the Protestant councillor of the Parlement of Paris, Anne du Bourg, was swift. On 17 December 1559, ten horsemen murdered president Minard, a prominent supporter of repression in the Parlement. An informer, Julien Fermé, was also killed. The language of vengeance became conventional in Protestant propaganda against the Guise, who were threatened with being dealt with 'à la Minard'.¹⁴ When civil war finally broke out in 1562 the Protestant commander, Condé, presented his cause as a 'vengeance publique'.

The convergence of vengeance, human and divine, and conspiracy is first seen in the Conspiracy of Amboise in March 1560. The motivation of its leader, Jean du Barry seigneur de la Renaudie, has recently been re-examined. He moved in the orbit of the Guise in the 1540s and it was probably through their favour that he escaped imprisonment for fraud and fled justice in 1546.¹⁵ La Renaudie converted to Calvinism during exile in Switzerland and saw the Conspiracy as an opportunity to defend the faith and recover his status in France. Above all he craved vengeance. In 1558 his brother-in-law, a leading member of the reform movement at Metz, had been summarily executed on the orders of the bishop, the cardinal of Lorraine, younger brother of the duc de Guise. La Renaudie's protectors had now become his persecutors.

The Protestant propaganda machine turned the bloody failure of the Conspiracy into a trial of the regime, and the martyrdom of those taken prisoner was depicted in a famous woodcut. The providential last words of the condemned man on the scaffold, Villemongis, were invoked to move the faithful: 'Lord, here is the blood of your children. You will have vengeance!'¹⁶ This prophecy was fulfilled with the assassination of François de Guise in March 1563. The assassin, Poltrot de Méré, claimed to have delivered France from a tyrant but he also referred to his private motives: 'the indignity which the seigneur de Guise had perpetrated on the corpse of one who was his kinsman, and also another close kinsman at Amboise... whom Guise had had killed in the dungeons. Since which time he had resolved to take vengeance for himself and for his *patrie*.'¹⁷

The blurring of private motives with the public good was neither new nor confined to the Reformed faith. Catholic polemic exhorted the faithful to rid the

¹⁴ D. Kelley, *The Beginning of Ideology: Consciousness and Society during the French Reformation* (Cambridge: Cambridge University Press, 1981), 201.

¹⁵ E. Brown, 'La Renaudie se venge: l'autre face de la conjuration d'Amboise', in Y.-M. Bercé and E. Guarin (eds.), *Complots et conjurations dans l'Europe moderne* (Rome: École Française de Rome, 1993).

¹⁶ L. Regnier de la Planche, *Histoire de l'état de France sous le règne de François II*, 2 vols. (Paris, 1836), i. 152.

¹⁷ Jean de Parthenay-Larcheveque sieur de Soubise, *Mémoires*, ed. J. Bonnet (Paris, 1879), 72.



FIG 12.1. Villemongis cries vengeance bathed in the blood of his comrades. From A. Franklin, *Les Grands Scènes historiques du XVI^e siècle* (Paris, 1886). By permission of the British Library; shelfmark 1862.d.4.

community society of verminous and polluting heretics, or suffer God's wrath. Blood taking was not only legitimate; it was religious duty that opened a path to Salvation.

THE RULES OF THE GAME BROKEN

Confessional identity and religious conviction undoubtedly sharpened the noble feud. A pacification commission sent by the Parlement of Bordeaux in 1565 into Périgord, 'to investigate the armed assaults, murders, robberies... a cause more of feuds and private hatreds than the diversity of religion', recorded thirteen feuds in the seneschalsy of Périgueux alone, detailing the parties, the origin of the dispute, and the current state of the judicial investigation, before moving on to Bergerac and Sarlat.¹⁸ Old enemies lined up on opposing sides: in the far south-west the Gramont joined the reform, inevitably opposed by the Luxe. Blood taking and revenge in old feuds was now a legitimate activity: in Provence hopes

¹⁸ Saint-Saud, 'Differends'.

for the termination of the Castellane–Quiqueran feud were raised in 1560 when the Castellane brothers were pardoned for the murder of Gaucher de Quiqueran fifteen years previously and when, in her 1561 will, the wife of Jean de Castellane pledged 2,000 *écus* to Robert de Quiqueran if he ‘will live in peace and amity with Louis, Jean and Baptiste Castellane and their other brothers, but if some enmity or affray occurs by means of Robert de Quiqueran, the gift would be null and void’.¹⁹ This might have succeeded if Baptiste de Castellane, a Protestant captain, had not entered Arles cathedral during mass at the height of the first war of religion—a deliberate affront to the Quiqueran which resulted in three deaths, including his own. Established patterns of amity and sociability were overturned and new animosities begun: in the Brie Claude Haton first notes ‘the mortal hatred’ between the Protestant Esternay and the Catholic Foissy in 1561.

But the division of political society into two distinct and mutually hostile camps is not the whole story. Religion could mitigate as well as exacerbate the feud. In fact, the discipline and solidarity required of the Protestant minority reduced violence among them. The Protestant conscience was attuned to the perils of sin, and the consistory court seems to have been effective in accommodating disputes, restricting the spread of duelling in Protestant areas. Duels did occur between Protestants—Villemor and Fontaines knelt and prayed together before killing each other—but they were not common.²⁰ Catholics were much more deeply riven by factional and ideological differences, not least between those who favoured temporizing with heresy and those who demanded its destruction. Divisions among Catholics were already evident in the 1560s. A good example of this occurred in Rouen in 1563 when marshal Vielleville arrived during the later stages of the first war of religion. Vielleville was a moderate whose daughter had married a Protestant and he was unhappy at the treatment of the city’s large Protestant community by the governor, Villebon d’Estouteville. Over dinner a quarrel between the two men ended in a sword fight in which d’Estouteville was wounded in the hand. This duel had a number of troubling aspects: first a marshal of France had fought with his inferior, secondly their public position overlaid private animosities dating back to 1560, and finally an angry Catholic mob gathered outside Vielleville’s lodging in support of the governor and had to be forcibly dispersed.²¹

Blood taking became more common because the old rules no longer applied: religious war challenged traditional respect for hierarchy, and chivalrous convention did not apply to heretics. In war, the rules of the game were turned upside down, and the battlefield, which should have been a test of the justice of one’s cause, now became an extension of personal animosities and bloody vendettas. The distinction between a legitimate act of war and illegitimate private violence

¹⁹ Remacle, ‘Une vendetta provençale’, p. 2, 195.

²⁰ L’Estoile, *Journal pour le règne de Henri IV*, i. 56. The most famous, between Turenne and Duras in 1579, was not deadly.

²¹ P. Benedict, *Rouen during the Wars of Religion* (Cambridge: Cambridge University Press, 1980), 14.

blurred. This was evident during the first battle of the civil wars at Dreux in December 1562, where marshal Saint-André, a Catholic commander, was captured by the sieur de Bobigny, a former servant. Some years earlier Bobigny had murdered a fellow servant. Rather than patching up the dispute Saint-André pursued Bobigny and had him executed in effigy. Bobigny, however, had other patrons and left for exile in Germany. In the thick of battle Saint-André surrendered, saying this was 'fair war and they should forget the past'. Bobigny refused to render his prize to his commander, the prince de Porcien:

arms in hand, claiming that he had fought him and won . . . and that it would breach the ancient ordinances of war, which grandees must observe inviolably in order to conserve the rights of the small, otherwise they will never follow them, and not one of them will chance his life if honour and the hope of becoming rich is torn from them by force.²²

Chivalric convention obliged Porcien to abandon Saint-André. But Bobigny was not after ransom money. He raised his pistol and shot Saint-André through the head, leaving his body 'completely naked on the field'. Catholic aristocrats, in particular, encouraged this sort of treachery, sanctioning assassinations and placing prices on the heads of Protestant leaders: the notorious assassin Maurevert began his career in 1569 by shooting his own captain in the back before swapping sides. The same year the duc d'Anjou, heir to the throne, sanctioned the murder of the prince de Condé after his capture at the battle of Jarnac, after which his body was displayed around the camp.

FEUDING AND THE PUBLIC SPHERE: GUISE v. MONTMORENCY

These killings took place in the wake of an event that had profoundly shocked Catholics. The assassination of their hero, François duc de Guise, in 1563, was a historical watershed: a blood feud between the two most powerful families in France was to dominate politics for the first time in 150 years. But the potential of cheap print to mobilize groups outside the traditional political elite made the Guise–Montmorency feud qualitatively different from its medieval predecessors.

No firm evidence exists to suggest that the assassin, Poltrot de Méré, was part of a wider conspiracy, but he implicated two leaders of the Protestant party: admiral Coligny and Soubise, hater of the Guise and with his close friend la Renaudie one of the main organizers of the Conspiracy of Amboise.²³ For the widow it was noted there 'is only one solace; that is to make sure that his friends will remember one day at the right time to avenge her injury'. The dual strategy developed by the Guise was typical. Public armed demonstrations pressured the crown towards effective legal action against the admiral. Meanwhile the family conspired to

²² Germa-Romann, *Du bel mourir*, 222.

²³ A. de Ruble, *L'Assassinat de François de Lorraine duc de Guise, 18 février 1563* (Paris, 1897), 77.

undermine the Montmorency and limit the protection the constable offered to his nephew. Coligny and his supporters, Protestant and Catholic, met force with force and countered the Guise conspiracies by representing themselves to the public as upholders of the monarchy and of peace.

This 'public feud', as one contemporary pamphlet called it, began with a rush of pamphlets that memorialized the duke's martyrdom.²⁴ Paris staged a magnificent funeral procession, in which people attended in their thousands with genuine enthusiasm. Coligny hit back in the pamphlet war; though he denied complicity he said he approved of the murder. Whether he was directly responsible or not is unimportant: he had issued a *bravade* that seriously damaged the prospect of peaceful settlement. The Guise launched a private suit against Coligny (26 April 1563) supported by demonstrations of force in the capital. The conflict soon centred on who would conduct the judicial investigation. Coligny and his faction, increasingly ascendant on the royal council, arranged for the matter to be evoked to the Grand Conseil. The hope of the Guise lay in Paris and its Parlement, both hostile to heresy. In September the duke's widow, dressed in mourning and accompanied by her children, arrived in the city, and on the 30th she and 200 supporters presented themselves at the Parlement to press their suit. Tensions in the city ran high as the factions roamed the streets. The Guise were surrounded by a large retinue and from mid-October each session of the Parlement was invaded by excited crowds. On 23 November the admiral and his supporters arrived in the city in a magnificent show of force. The Venetian ambassador, estimating the numbers at 8,000–10,000 men, feared 'that any little accident might unleash a great scandal'.²⁵ The Guise withdrew from the royal apartments in the Louvre to their own stronghold in the Marais.

Fearing the outbreak of civil war in the capital the queen mother, Catherine de Médicis, summoned the parties to the Louvre on 6 December to try and broker a peace settlement, but events on the streets upset the plans of the policy makers. Soon after the abortive peace conference Condé's chaplain was attacked by the members of the congregation of Saint-Germain de l'Auxerrois and saved only by the intervention of Huguenot soldiers.²⁶ More seriously on 22 December a man attacked the priest of Saint-Séverin during mass, wrestling him to the ground as he raised the Host. The royal family led the public reparation for this act eight days later, in a procession through the streets from Sainte-Chappelle to Saint-Séverin on the Left Bank, and in which the Venetian ambassador recorded the prominent role of the Guise.²⁷

²⁴ D. El Kenz, 'La Mort de François de Guise: entre l'art de mourir et l'art de subvertir', in J. Fouilleron et al. (eds.), *Société et idéologies des temps modernes: hommage à Arlette Jouanna* (Montpellier: Université de Montpellier III, 1996).

²⁵ BN MS Italiens 1725 fo. 46, 23 Nov. 1563.

²⁶ *Calendar of State Papers, Foreign Series, of the Reign of Elizabeth*, ed. J. Stevenson et al. (London: Longman, 1863–1950), 7 Dec. 1563, 608: 'Peroceli was thrust in the thigh as he was walking in the streets. He that did it is thought to have slain him, and was conveyed away by his complices': BN MS Italiens 2182 fo. 272.

²⁷ See the reports of the papal nuncio, Santa Croce: BN MS Italiens 2182, fos. 277^v and 278^v. The offender was burned alive on the same day: *Registres des délibérations du bureau de la ville de Paris*, ed. F. Bonnardot et al. 10 vols. (Paris, 1883–1903), v: 1558–67, 342.

Along the route the people complied enthusiastically with orders to cover their houses with hangings and mount lighted torches. Rumours of conspiracy fuelled the combustible atmosphere, and they were not without foundation: handbills posted around the city threatened the life of the queen mother and her chief councillors.²⁸

Public enmity between the parties and their supporters was displayed day in day out through taunts, challenges, and insults. These attacked the honour of the opposing group and betrayed the imprint of the councils of the feuding parties.²⁹ The Charry affair illustrates the tension gripping Paris over Christmas. Captain Charry was a Guise man in the royal guard. He quarrelled incessantly with Coligny's brother who, as colonel general of the infantry, was nominally his superior. Catherine found a threatening handbill in her apartments demanding that she remove Charry and other Ultra-Catholics from their commands. On New Year's Eve Charry was ambushed by three Protestant nobles, led by Chastelier Portaut, the admiral's standard-bearer. Charry had killed Portaut's brother in a duel fourteen years previously, and the Coligny brothers probably sanctioned a revenge killing.³⁰ To Catholics this was simply another example of Huguenot perfidy. Charry was given a magnificent funeral the following day and laid to rest in Notre Dame near the altar where the duke of Guise's heart was buried.

The Charry affair did not stop the rising influence of the Protestants and the ascendancy of the constable on the regency council, causing the Spanish ambassador to despair that 'the Guise and the Catholics act so meekly and [are so] defeatist, as if there was no remembrance of the death of M. de Guise nor of the Catholic Religion'.³¹ Finally, on 5 January 1564 the king issued a decree, suspending judgement on the murder for three years. Several days later the Guise left court.

The return of the cardinal de Lorraine from Trent produced a shift in strategy. Now the family would attempt to build a wider, non-confessional, base of support by attracting their cousin Condé to their cause. The death of his wife in July severed his kinship ties to the Montmorency and removed a godly influence from his life. The cardinal now offered him a Guise princess: Anne d'Este or Mary Stuart. Assured of Condé's goodwill the Guise conspired to build on the popular support that the family had attracted in Paris during 1563, and hence further undermine the traditional Montmorency power base there. To this end, the

²⁸ BN MS Italiens 2182, fo. 278^r; Catherine de Médicis, *Lettres*, ed. H. de la Ferrière and comte Baguenault de Puchesse, 9 vols. (Paris, 1880–99), ii. 125 (1563).

²⁹ In October the constable de Montmorency and François de Guise's younger brother, the duc d'Aumale, quarrelled violently. The constable pursued the issue with a public challenge, accusing a servant of Aumale's of conspiring to kill him; this challenge had to be met by counter-challenge and Aumale demanded satisfaction, though he knew a duel could not take place between men of unequal rank. As long as the counter-challenge remained in force it would continue to impugn the honour of the constable until one of his men agreed to accept it: F. Decrue de Stoutz, *Anne de Montmorency*, 2 vols. (Paris, 1889), ii. 377.

³⁰ Ruble, *L'Assassinat de François de Lorraine*, 112–13.

³¹ *Mémoires de Condé ou Recueil pour servir à l'histoire de France*, 6 vols. (London, 1734), ii. 188.

cardinal planned a triumphal entry into the city with his nephew. Fearing for his life, Lorraine took an armed retinue of fifty men everywhere, even when he sang mass and preached in church. He ignored warnings from the governor, François de Montmorency, that arms were forbidden in the city, thus making a showdown inevitable.³² Several men were killed in the clash in the rue Saint-Denis on 8 January 1565 and the cardinal and his nephew were forced to take ignominious refuge in a house nearby. At nightfall they stole across the river to the safety of the hôtel de Cluny on the Left Bank, where the cardinal was joined by his younger brother, the duc d'Aumale. Guise humiliation was compounded by their failure to rouse any popular support. For the next two days the cardinal was trapped in his residence surrounded by hostile troops and Parisians threatening and poking fun at him.³³ Both sides began to gather forces in the vicinity of the city which cut across confessional lines: Montmorency was supported by Coligny; the Guise by Condé. A furious pamphlet war was unleashed in which both sides attempted to mobilize public opinion until the crown finally imposed peace.

In the provinces, too, the Guise had been trying to build an anti-Montmorency coalition, tapping into local Catholic discontent with the royal policy of toleration. The extent of this conspiracy is demonstrated by two documents signed by royal governors in the west, pledging their support for blood revenge.³⁴

I the undersigned promise and swear by the living God to keep and maintain the association made by the captains, lords and knights of the order to avenge the death of Monsieur the duke of Guise, rendering service and fidelity to Messieurs his brothers, Madame his wife and Monsieur his son, as I promised to the said late duke of Guise, whom God absolve, for the recovery of the rights he had claimed without exception or reserve. I promise also to use all my strength up to the last breath to expel from this kingdom or kill those who have made peace without punishing the murder, and to inflict a shameful death on those who shared in the homicide, and I swear also to use all my strength in exterminating those of the new religion. In order to carry out the above, I promise to stand by to march on 27 October with my associates and those in my charge and to go wherever Monsieur de Monluc shall direct me to go for the accomplishment of the association. And as guarantee of the strict fulfilment of the above promises, I sign these present with my hand and seal them with my seal, 2 August 1563. Signed: Sansac, and sealed.

I the undersigned promise and swear by the living God to render such obedience and loyal service to the duke of Guise, the cardinal his uncles, and to his mother, as I had promised to the late duke of Guise, for the recovery of his property as to avenge the death of the said duke up to the fourth generation of those who committed the said homicide or connived at it and of those who are yet defending the culprits. To this effect I am ready to march with my associates and company on 27 September next, promising to obey the orders

³² For this and following: R. du Bouillé de Chariol, *Histoire des ducs de Guise*, 4 vols. (Paris, 1849–50), i. 341–9.

³³ Ruble, *L'Assassinat de François de Lorraine*, 249; A. d'Aubigné, *Histoire universelle*, ed. A. de Ruble, 9 vols. (Paris, 1886–97), ii. 216.

³⁴ Archives du Musée Condé. Papiers de Condé, Série L, vol. xix, fo. 59. Printed in R. Knecht, *The French Wars of Religion, 1559–1598* (London: Longmans, 1989), 107.

of Monsieur de Monluc whom I recognize as lieutenant-general of the enterprise in Guyenne. And as guarantee of the above I sign these presents with my hand and seal them with my arms, 16 August 1563. Signed: Guy de Daillon, and sealed.

Chilling though our two documents are they proved to be of little practical value in the pursuit of Coligny; they provided moral rather than material support. Daillon's promise to serve the Guise up to the fourth generation is a biblical convention (Exod.20: 5) that had no legal force.³⁵ In the event, his support was token and he continued to be among the most loyal servants of the crown.³⁶

Neither was sympathy for the Guise translated into active support on the streets of Paris. Over the next couple of years the family presented its interest as a public cause and tried to broaden its base of support, but the people remained aloof. During the Guise–Montmorency clash in Paris in 1565, attempts to rekindle memories of Parisian solidarity for the Guise backfired, allowing Protestant pamphlets to demonstrate the shallowness of Guise influence among the people. After quitting the city, Aumale toured neighbouring provinces hurriedly trying to form an association. His letter to the youngest of the Guise brothers, the marquis d'Elbeuf, was intercepted and published by the Protestants. It not only publicized the names of his co-conspirators but revealed his disillusion with the Catholic populace: 'I find it good that the said lords wish to take heed leaving aside the towns, all the more since there is no assurance to be had in the people, as I have lately seen once again. But with the nobility, for my part I am firmly resolved and prepared.'³⁷ This association also came to nothing. Support for the Guise was fickle beyond its clientele network and by the end of the year the cardinal de Lorraine had realized that the pursuit of Coligny would have to be abandoned if the family wanted to salvage power at the centre. With support for the Guise waning the crown was able to impose a settlement at Moulines in January 1566.³⁸ Coligny swore publicly that he was not responsible for the murder of François de Guise, and then exchanged a kiss of peace with the cardinal. This was only a truce: François's son Henri did not take part in the ceremony and in the following years refused to sign an accommodation with his enemy.³⁹

What distinguished the Massacre of Saint Bartholomew from the events of the 1560s is the transformation of the Guise from being the main opponents of a moderate royal policy to being the instruments of a royal plot to eliminate the Protestant leadership. After the Peace of Saint-Germain in 1570 the family had

³⁵ The French word is 'génération' and not 'degré', an important distinction since in the Middle Ages a feuding party was defined on the basis of the fourth degree of kinship: Kaminsky, 'The noble feud', 62.

³⁶ For a fuller discussion: S. Carroll, 'Vengeance and conspiracy during the French Wars of Religion', in J. Swann and B. Coward (eds.), *Conspiracy and Conspiracy Theories in Early Modern Europe: From the Waldensians to the French Revolution* (Aldershot: Ashgate, 2004).

³⁷ J. Thompson, *The Wars of Religion in France, 1559–1576* (New York: Constable, 1909), 255.

³⁸ Lorraine pressed in the royal council for Coligny's prosecution but he could count only on the support of his brother-in-law, the duke of Nemours: Ruble, *L'Assassinat de François de Lorraine*, 132–3.

³⁹ Ibid. 124.

been excluded from power. Henri de Guise's unwillingness to reconcile with Coligny was a running sore on the body politic. Lacking credit at court he once more looked to Paris, where hostility to the Peace and the admiral was most bitter.⁴⁰ He conspired to exploit riots against the edict, while his old adversary François de Montmorency was charged with restoring order. The Florentine ambassador reported 'that in Paris there are a growing number of gentlemen friends of the lords of Guises, and they have rented rooms in various quarters, plotting nightly something between them; and that they have come armed with certain weapons, such as small daggers and other concealable weapons, in order to strike quickly . . . and that among the plans they have one of them will go and kill the admiral in his lodgings'.⁴¹ By now, however, the duke's room for manoeuvre was narrowing—rejuvenated popular support could not offset royal displeasure—and in May 1572 he finally signed and sealed the act which recognized the settlement of Moulins and discharged Coligny. This allowed both men to appear at court in preparation for the marriage of Henri de Navarre and Marguerite de Valois in the summer. But they displayed their mutual enmity by refusing to greet each other.⁴²

Historians now largely agree that the conspiracy to murder Coligny and the rest of the Protestant leadership must be dissociated from the popular massacre which it sparked off and which resulted in a three-day orgy of killing in the capital and 2,000 deaths. Catherine wanted Coligny removed for fear that his intervention in the Low Countries would plunge France once more into civil war, so she permitted the Guise to pursue their vendetta. As in 1563, tensions in the city were high and exacerbated by the large numbers of nobles present for the marriage festivities. What had changed most in the intervening years was the royal council: gone was the steadying influence of the constable whose conservatism on religious matters was balanced by his hostility to the Guise; gone was chancellor l'Hôpital, the moral backbone of the regime and architect of the policy of religious toleration.

The different roles of the mob and the duke in the massacre highlight the gap between popular religious violence and aristocratic notions of vengeance. Natalie Davis has interpreted the orgy of killing in the streets as enacting rites of violence which were didactic as well as vindictive, 'drawn from a store of punitive or purificatory traditions current in sixteenth-century France'.⁴³ The need for killers to forget that their victims are human beings is an enduring feature of the unconscious and the process of dehumanization is completed by transforming the victim into 'vermin', 'beasts', and 'devils'. The gruesome fate of Coligny's corpse once it fell into the hands of the mob does not require elucidation here.

⁴⁰ Guise looked in vain for allies. The Ultra-Catholic duke of Nevers understood his predicament but warned against killing: Ruble, *L'Assassinat de François de Lorraine*, 143.

⁴¹ A. Desjardins (ed.), *Négociations de la France avec la Toscane*, 6 vols. (Paris, 1859–96), iii, 743.

⁴² Guise asked the king for the right to challenge Coligny to a duel or put the matter to arbitration by the marshals, thus challenging the legality of the 1566 accommodation: Ruble, *L'Assassinat de François de Lorraine*, 150–4.

⁴³ Davis, 'The rites of violence', 186.

Guise's attitude to the corpse and the representation of his conduct have provoked less interest. However they are of crucial importance to our story. In his account of the murder, the Protestant Simon Groulart wished to equate the duke's conduct with that of the mob. After the admiral's corpse was flung from his apartments into the courtyard, Guise is supposed to have wiped the blood from Coligny's face and then pushed it with his boot saying, 'Venomous beast no longer will you spit your venom.'⁴⁴ But this does not fit with the anthropology of the aristocratic feud in France. Feuds rarely evolved into endless bloody vendettas because they had limited political objectives: the promotion and protection of one's lineage. Our best account of the Massacre, written by Tomasso Sassetti, has Guise telling his men to fling the corpse out of the window so that he could recognize the victim. Having done so he prevented them from plunging their daggers into the corpse, saying, 'Enough, no more to the poor man.'⁴⁵ This is much more credible. To the duke, vengeance was a dish best taken cold; once his debt of honour had been paid and his duty fulfilled he distanced himself from the slaughter: 'for the admiral's death he was glad for he knew him to be his enemy, but for the rest the king had put to death such as might have done him very good service.'⁴⁶ His emotionless response to the killing of Coligny and the general massacre is, in its own way, as chilling as the gruesome street games played by the mob with Protestant corpses; this relationship between elite and popular violence is fundamental to understanding the Wars of Religion.

ELUSIVE PEACE

In the summer of 1572 the crown abandoned temporizing with the Protestant leadership and opted for annihilation. This solution was only partially successful. Although irreparable damage was done to Protestantism north of the Loire, resistance to the crown in the south was entrenched. After 1574 the new king, Henri III, realized that he would never defeat the Protestants and their Catholic allies militarily, and that other means would have to be found to end the cycle of violence. While France burned thinkers and humanists had not remained idle. Reform of the judicial system had paralleled the policy of toleration tried out by chancellor l'Hôpital in the 1560s. But Henri III, an intelligent and capable monarch, expanded the reforming impulse to a much wider area of public life. The creation of special bipartisan courts in the Parlements, the *chambre mi-parties*, proved in the long run to be a significant improvement on previous attempts at improving judicial impartiality.⁴⁷ In the period 1577–83 Henri had

⁴⁴ Bouillé de Chariol, *Histoire des ducs de Guise*, ii. 505.

⁴⁵ J. Tedeschi, 'Tomasso Sassetti's account of the St Bartholomew's Day Massacre', in A. Soman (ed.), *The Massacre of Saint Bartholomew: Reappraisals and Documents* (The Hague: M. Nijhof, 1974), 137.

⁴⁶ *Calendar of State Papers Foreign, 1572–4*, 185.

⁴⁷ D. Margolf, *Religion and Royal Justice in Early Modern France: The Paris Chambre de l'Édit, 1598–1665* (Kirkville, Mo.: Truman State University Press, 2004).

some success in establishing political stability, and even managed to balance the books.

Many thinkers came to the conclusion from the 1570s that the Wars of Religion could be explained partly by the decline of traditional moral values. The belief in the improvement of man was a central theme of the Renaissance. Neo-stoics argued that peace would only take root if men controlled their passions. The most important thinker of the age, Montaigne, went further and proposed a new ethical system designed to moderate revenge and soften enmity. More immediately influential were court preachers like Antoine Sorbin who reminded his audience that duelling was an offence in the eyes of God and that noble revenge derived 'from the impetuosity of their passions'.⁴⁸ At least since the translation of Castiglione's *Courtier* in 1537, the notion of moulding and fashioning conduct according to the precepts of civility had become widely accepted. In an attempt to reinforce hierarchy and create greater distance between the king and his subjects, Henri III remodelled court ritual and tried to reduce the familiarity and openness that had long characterized the French court. The model for good order was borrowed from the household of the queen mother, whose 'company and court was a real earthly paradise and school of all honesty, of virtue, the ornament of France'.⁴⁹ The first publicly instituted academy devoted to the propagation of the arts and sciences was set up in 1570 and during Henri III's reign they flourished as Neoplatonic schools for the cultivation of manners, where violence was excluded, as bestial and inhumane. As Pierre de la Primaudaye, author of the *Académie Française* (1577), said, 'Of all the sententious sayings read to us by wise Socrates, and the admirable works of Plato his disciple, I find nothing more divine, nor worthy of praise, than this sentence so often repeated by them, that one must never avenge oneself.'⁵⁰ Henri also revived knightly ideals: instituting a new order of chivalry—the order of the Holy Spirit—and through his devotions promoting an intense piety. The move to reform manners did not always emanate from above. The Catholic League, initially founded in 1576 by elements of the Picard nobility to counter Henri's moderate religious policy, was aware that disorder was attributable as much to violence between Catholics as between the opposing confessions, and it proposed a 'Holy Union' in which hostility and immorality would be replaced by piety and brotherhood. Article ten of its founding covenant stated that 'all associates will be forbidden to enter into any quarrel or dispute against each other'.⁵¹

Henri's ambitious project to transform aristocratic culture required time, which, without a male heir, he did not have. When the death of his younger brother in 1584 once again plunged France into dynastic crisis, the limits of reform were already apparent. The problems faced by France were structural rather than moral and the link between refined manners and the diminution of interpersonal violence is not

⁴⁸ A. Sorbin, *Exhortation à la noblesse pour les dissuader et destourner des duels et autres combats* (Paris, 1578).

⁴⁹ Quoted in Potter, *A History of France*, 87.

⁵⁰ p. 115.

⁵¹ Carroll, 'The peace in the feud', 83.

organic; civility and vengeance are not as exclusive as neo-stoics claimed. Two years after the publication of the *Académie Française*, its author's brother François was decapitated for a cold-blooded killing.⁵² Henri himself was a man of contradictions, who sought to promote better standards of behaviour but who pardoned wife murderers, duellists, and assassins, who ordered the assassinations of opponents, and whose major part in the Massacre of Saint Bartholomew stained his hands with blood. One of the most serious charges levelled at him was that he was a hypocrite.

Despite his best intentions, Henri III was unable to control his own court, nor check duelling's spread horizontally among the nobility and vertically up the social ladder, nor arrest the growing fashion for employing seconds. He did personally intervene to stop duels taking place and in January 1578 published an ordinance forbidding them and imposing arbitration.⁵³ These measures had little effect, and daily incidents at court culminated on 27 April in a famous duel between the king's supporters and those of the duc de Guise, in which Maugiron, Schomberg, Ribérac, and Caylus died. Faction, an ever present feature of early modern politics, became more difficult to manage when tinged with blood taking. The conflict between the king and his brother Anjou in particular, was distinguished by the toleration, even encouragement, of attacks on each other's supporter.⁵⁴ Anjou's huge and ill-paid retinue was especially unruly, a problem partly solved by its wholesale exportation to the Low Countries during the duke's ill-fated intervention, where it did even more mischief.

INTO THE ABYSS

These problems were deep-rooted and pre-dated Henri's reign. In the 1560s, a previously unheard of event occurred when a prince, the duc de Longueville, fought a duel with a marshal of France, Henri de Montmorency-Damville, the constable's second son.⁵⁵ Since the death of Henri II duelling had become a public affair that went unpunished. In 1561 the bastard of Bueil was killed at the Estates-General by René de Laval, his rival in love.⁵⁶ Slightings were met with extreme responses: in the south-west an initial scuffle in 1563 between François Caumont de la Force and Edmé de Hautefort, seneschal of the Limousin, led to a 'great feud' which resulted in la Force's assassination.⁵⁷ Duels escalated into bloody vendettas. Whole regions were divided among feuding clans, and not just on the periphery. In the Beauce, for example, the ambush and assassination of half a dozen members of the Languejoue clan in 1578 'was the cause of placing in faction and division almost the whole region for a long space of time'.⁵⁸

⁵² APP AB 6 fo. 165^v.

⁵³ Le Roux, *La Faveur du roi*, 368–405.

⁵⁴ François duc d'Alençon was made duc d'Anjou in 1576.

⁵⁵ With seconds: Nadaud, *Nobiliaire*, ii. 204.

⁵⁶ Brantôme, vi. 371.

⁵⁷ A. de Jargain, *La Maison de Caumont-la Force du XV^e siècle à nos jours* (Paris: Champion, 1912), 36.

⁵⁸ La Taille, *Discours*, 102.

In the provinces vindictory violence became a quotidian affair, though not all suffered equally. The blurring of civil war and feud among the local gentry was observed with an acute eye near Provins by Claude Haton. The 'mortal enmity' between the Foissy and the Esternay arose less from religious difference than from the sins of 'envy' and 'pride'. In 1561 Foissy, a Catholic, had pursued a hare onto his neighbour's lands, causing a lawsuit that reached the Parlement. The right to hunt was associated with claims to excellence and both sides were soon impugning the other's status. Esternay was the richer, but Foissy, a Guise client, descended from a lawyer's clerk, claimed that his lineage was better than that of a man descended from a chef. Captain of an infantry regiment, Foissy quartered his men on his neighbour's lands during the Second War of Religion (1567). After the peace their private war continued with Esternay raiding his enemy's lands at Nogent-sur-Seine. On 20 August 1568, immediately upon the resumption of official hostilities, their retinues clashed and a number of men were killed. In November Madame d'Esternay, now a widow, was captured and the family château pillaged. News of Foissy's death was greeted with joy by the widow because 'of the appetite for hatred he had of the Esternay'.⁵⁹

Historians have speculated fruitfully about the psychological state of Catholic rioters by paying close attention to the rhetoric of Catholic preachers and printed polemic. Some killers were undoubtedly divinely inspired to carry out their duty to purify the community of heresy. But violence perpetrated in the name of a religion also masked more atavistic sentiments. Protestant sources differ in their interpretation and they often represent Catholic rioters driven by baser motives: score settling and revenge. The explanations are not mutually exclusive. For the nobility sincere faith mingled freely with sentiments of revenge. Vengeance killing was based on reason, on rational calculation, and conspiracy. During the Massacre of Saint Bartholomew the duc de Guise wished above all to demonstrate that his quarrel was conducted not only in accordance with the king's wishes but within the precepts of reasonable force. He acted with restraint and with the right to take revenge, distancing himself from the uncontrollable mob. Elsewhere hatred of the Protestant leadership was personal as well as ideological, and some were the object of purely human animosity. Bussy d'Amboise killed the marquis de Renel during the Massacre 'because of a lawsuit he had with his first cousin'.⁶⁰ Where they were able, Protestants had their revenge: the *bailli* of Perche, Jacques Courtin, and his lieutenant at Mortagne were both later assassinated for their assiduity in carrying out the massacres in their region.⁶¹

Though it had long been a feature of Catholic polemic, in practice the concept of Holy War applies more to the period after 1584 when the Catholic League was reanimated under Guise leadership to prevent the succession of a Protestant, Henri de Navarre. The League's legitimacy derived solely from its defence of the

⁵⁹ Haton, *Mémoires*, ii, 177, 236, 254, 282.

⁶⁰ Germa-Romann, *Du bel mourir*, 238.

⁶¹ Fret, *Antiquités*, i, 619–20.

faith and its claim to be fighting in the name of a just and holy cause. Ideological cleavages among Catholics were felt in Provence as early as 1586, when the governor and the king's bastard brother the duc d'Angoulême was murdered by a leaguer activist.⁶² Tyrannicide was also justifiable in these circumstances. France was now plunged into the darkest and most destructive phase of the Wars of Religion as each province splintered into warring parties and the fighting reached a new pitch of intensity. Catholics not only found themselves divided by their varying responses to the issue of toleration; they now faced each other in opposing armies. The collapse of authority permitted old enemies to pursue their personal animosities unhindered. In Auvergne Tournemire and Anjony, both Catholic, renewed a feud long dormant.

The cruelty and disregard for the laws of war that characterizes this period can be shown by casual killing for advancement. The assassination of the Guise brothers in December 1588 followed by that of the king himself in April 1589 legitimized acts which had little to do with religion. Montmorency-Hallot was murdered in 1592 by a fellow royalist over possession of the inconsequential captaincy of Vernon. Truces were not respected: in 1591 Antoine de Saint-Vidal, a leaguer, was killed as he parleyed with his Catholic royalist opponents on a bridge near Le Puy with the words 'Long live the king! For Saint-Vidal is dead.'⁶³ Such treachery was not confined to one's opponents: Philibert d'Apchier, ostensibly royalist commander in the Gévaudan, ambushed and plundered a supply column from friendly Nîmes in January 1591, leaving forty to fifty dead.⁶⁴

Just as serious was the revival of judicial combat; but now without royal approval or the customary safeguards. In September 1591 a royalist commander in the Auvergne ordered two squabbling captains to fight a duel; the loser to be executed if still alive.⁶⁵ It was a form of dispute settlement favoured, in particular, by the head of the Catholic League, the duc de Mayenne. In November 1589 he was present in Abbeville at the duel to the death between André de Villars, governor of le Havre, and Nicolas de Moy, a representative of the longest-serving leaguer clan in Normandy. At stake was control of Upper Normandy: Villars won, and this ruthless outsider from a modest background went on to become governor of Normandy and admiral of France.⁶⁶ Judicial combat offered more than the opportunity to winnow out candidates for office. In spite of, or perhaps because of, the cruelty of the times aspects of chivalrous culture went through something of a revival with champions fighting in front of the opposing armies. At the first siege of Paris in 1589 there were two mounted combats between the champions of the opposing forces. Mayenne was at first against Marolles fighting Marivaux because he feared a defeat would dishearten the Parisians, but finally relented and offered his best horse.⁶⁷ Judicial combat was a test of God's providence, but there were

⁶² Kaiser, *Marseille*, 271–2.

⁶³ Burel, *Mémoires*, 249.

⁶⁴ AD Aveyron E 627, 9 Mar. 1591.

⁶⁵ Boudet, *La Justice et la police prévôtales*, 30.

⁶⁶ Bouquet (ed.), *Neufchâtel-en-Bray*, 70.

⁶⁷ M. de Marolles, *Les Mémoires de Michel de Marolles, abbé de Villeloin*, 2 vols. (Paris, 1656–7).



FIG 12.2. The victory of Marolles, 1589. The prominence of the coat of arms in an ostensibly anti-duelling treatise is noteworthy and shows that revolt against the Bourbon was no obstacle to heroic reputation before the reign of Louis XIV. The epigram is from book 10 of the *Aeneid*. From M. Vulson, *Le Vray Theatre d'honneur et de chevalerie*. By permission of the British Library: shelfmark 608 m. 7.

also echoes of the Guise–Montmorency feud: Marolles was armed by a member of the Guise clan, the chevalier d'Aumale; Marivaux chose a Coligny. People gathered to watch the joust, in which Marivaux was killed at the first pass, on a viewing platform. Marolles took his opponent's horse and arms as prizes and the people crammed the streets to see the return of their Hector; they lit bonfires of joy. Preachers saw the victory in terms of David against the Philistine Goliath. While Navarre had the upper hand in battle, the League was triumphant in single combat, a not insignificant boost to morale. At the second siege of Paris in 1590, Fosseuz challenged Saint-Just for defamation of his father. They fought on horseback with swords only; yet the 'ancient laws of the [judicial] duel were violated': Saint-Just, unhorsed, was killed as he lay defenceless.⁶⁸

⁶⁸ Vulson, *Theatre d'honneur*, ii. 485.

Ignored by historians, these combats had immense significance for contemporaries; they not only added a chivalric veneer to the cruellest phase of the Wars of Religion, where otherwise the rules of the game were not upheld, they continued to fascinate and be celebrated long after the event in verse and prose, contributing to the mythology that grew up around duelling. In oral culture these combats reverberated through the decades: in 1655 the duke of Mantua visited Michel de Marolles in Paris to hear about his father's exploits.

CONCLUSION

The Wars of Religion witnessed the transformation of the noble moral code, with its traditional emphasis on the virtue of the profession of arms in the service of a prince, to a moral code which prized an individual's autonomy and his right to meet any perceived threat to his honour or status with force. The collapse of authority, the overturning of hierarchy, and the ever present threat of death negated carefully calibrated responses: the best form of defence was often attack. Vindictory violence was also transformed by publicity. Duelling was conducted in the public gaze and it became possible to forge a career based on a reputation as a duellist, something unheard of before. The noble feud helped to shape and escalate the Wars of Religion. Popular religious violence during the Wars of Religion did not exist autonomously of the noble economy of vengeance. In the wake of the Massacre of Saint Bartholomew the contrasting attitude of the duc de Guise and the mob to the corpse of the Protestant leader, admiral Coligny, was a matter of public debate and controversy, in which the duke's reputation as a man of honour was at stake. But even before the Massacre of Saint Bartholomew the people aped their social betters. In 1556 Robert de la Beigne, a member of the du Parc family, was wounded in a duel and slandered by René de Chivré, for which he had sworn vengeance. Ten years later kinship rivalry was supplemented by confessional animosity after Chivré became one of the leading Calvinists in Upper Anjou. Chivré was killed in a fight with the du Parc at Château-Gontier in November 1566 and his servant 'left behind for the common rabble [who] wounded him in his head and other parts of the body for the traitorous murder he had committed on the person of [René du Parc], sieur de Bernières.'⁶⁹ The noble feud had become dangerously entangled with the popular thirst for revenge on heretics.

The Wars of Religion cast a long shadow over the seventeenth century. They had painful memories for the generation, like cardinal Richelieu (b. 1585), which came to prominence in the 1620s. The challenges facing the Bourbon dynasty in the early years of its rule were formidable, and it is to these that our attention now turns.

⁶⁹ AN JJ 265 fo. 88^v, June 1568.

13

Violence and Royal Authority in the Seventeenth Century

Unlike his predecessor, Henri IV was a man whom even his enemies could respect; a fearless warrior and *bon viveur* who placed politics above religious scruple. Indeed after the final submission of the League in 1598, many former enemies became his comrades in debauchery. He was an active and efficient peacemaker, intervening personally in disputes, reviving the authority of the constable, promulgating two edicts against duelling, and sponsoring the idea of publicly funded attorneys for the poor.¹ Religious passions were much reduced. Yet there is compelling evidence for the continuation of feuding and the rise in the incidence of duels. Quelling the hornets' nest disturbed by thirty-six years of civil war required time. Henri made progress with the princes, but the time needed to master the rest of the social elite was denied him by his assassination in 1610. Moreover, temperamentally the king was not suited to the difficult decisions that repression required. The edicts on duelling were not observed and he issued pardons too lightly without regard for their contents. His chief minister, Sully, noted a fatalism in him, cloaked by resignation to God; that at heart the long wars had inured the king to death: 'he saw bloodshed without emotion; and he was likewise not much less indifferent about his own blood.'² Henri's 1602 and 1609 edicts against duelling remained a dead letter, for:

not only did he put up with [duels], but feigned approval, allowing one to speak about it in front of him, praising or criticizing those who it was said had made a good or bad move; such that it gave those newly arrived at court [a taste] for emulation, and that instead of fighting only out of necessity and for offences given often by accident, they sought opportunities to win reputation with [the king] and gain his estimation, which caused the loss of an infinity of men.³

This was part and parcel of Henri's charisma: in him the French nobility saw an image of themselves.

¹ Carroll, 'Peace in the feud', 101.

² Sully, *Mémoires of the Duke of Sully*, trans. Charlotte Lennox, 5 vols. (London, 1810), iii. 253. Though this passage is not to be found in the more reliable later editions, it encapsulates Henri's character.

³ F. Fontenay-Mareuil, 'Mémoires', Michaud and Poujoulat, 2 Ser., V. 30.

THE SURVIVAL OF THE FEUD; THE SPREAD OF THE DUEL

Old animosities which had abated or temporarily been put aside were reanimated after the king's death, as a regency, once again headed by a woman and a foreigner, heralded a return to the insecurity and divisiveness of the Wars of Religion. The celebrated mounted duels fought by the chevalier de Guise against Luz *père* and *fils* in Paris in 1613 resulted from the role played by Luz *père* in the assassination of the duc and cardinal de Guise at Blois in 1588. In the provinces old religious and political wounds reopened, notably in the south-west between the Gramont and the la Force. But it was the murder of Jean-Louis de Lévis comte de Charlus and his young son on 22 October 1611 that best demonstrates the revival of the feud. Jean-Louis was the second most important aristocrat in the Upper Auvergne, and related to the house of Guise and the duc de Ventadour.⁴ A captain of the Catholic League, he enjoyed a fearsome reputation as a warrior, the terror of his neighbours. For example, despite the letters of abolition he received in 1595 from Henri IV, he was condemned four years later to pay an indemnity of 3,000 *écus* for sacking a neighbouring château. The feuds in which he involved himself were not brought to end by his submission to Henri. One neighbour, the sieur de Saint-Augustin, was infuriated by the vandalism of his arms and attacks on his officials. They refused to submit to arbitration, until the king intervened personally at the end of 1595. Even so, the constable was asked to place Saint-Augustin under royal safeguard in 1605. More serious were Charlus's lawsuits with the Gadagne, the leading royalist family in the Lyonnais. They possessed adjacent properties in the Bourbonnais and a dispute over feudal rights soon escalated into claims of pre-eminence: Charlus refused to acknowledge a family descended from an 'Italian banker', while the Gadagne claimed he was a mere esquire who had usurped the title of knight. Had Henri IV lived this feud would have undoubtedly continued without bloodshed. After the king's assassination the duc de Nevers did everything he could to broker an accord, but it remained a dead letter. Charlus was aware of the danger of wintering in the Bourbonnais, and barely a month before his death made out his will. His killers counted on the support of the regent, Marie de Médicis, and the affair was a live political issue for another decade.⁵

At a lower social level and despite being nominally on the same side during the civil wars, the Tournemire–Anjony feud was reactivated in the 1590s. The pacification of the kingdom meant little to either side for now the contest between the two clans was increasingly dominated by control over Tournemire parish

⁴ At the end of the sixteenth century his annual revenue was over 25,000 *livres*: Jean de Vernys, *Mémoires, 1589–1593* (Clermont-Ferrand, 1838), 101.

⁵ Vignon, *La Vendetta des Gadagne*; Bibliothèque Sainte-Geneviève MS 827, fo. 93^v.

church, resulting in a series of escalating actions:

- 1591: Louis de Monteil, nephew of Jacques de Tournemire, is murdered by Jacques d'Anjony
- 1603: a series of armed demonstrations by both sides
- 1603, 13 November: first accord by Noailles, governor of the Auvergne
- 1605, 18 February: Louis d'Anjony is seriously wounded
- 1607, 15 January: M. de Tournemire is shot at
- 1607, 7 April: the Tournemire wound the parish priest
- 1608, 10 August: Robert de Tournemire sieur de Chavauroche and the sieur de Mazeyrolles, kinsman of the Anjony, killed in a duel with each other.
- 1608, 8 September: armed demonstration by the Tournemire
- 1617, August: Robert de Tournemire, son or nephew of the sieur de Chavauroche, is killed by an adherent of the Anjony
- 1623, 21 June: duel in the centre of Tournemire village—3 v. 3—in which three members of the Anjony family are killed.

This bloody finale brought the feud to a conclusion but the lawsuits continued, only coming to an end in 1643 when a series of marriages brought the Anjony the whole fief of Tournemire and control of the church—completing a process that had taken over 200 years.⁶

Had such events been confined to Auvergne, they would have had only local significance. As it was, the mounted encounter was a feature of feuds in Upper Normandy and the Île-de-France during the same period. Political violence legitimized acts of private revenge: no more so than the *coup d'état* of 24 April 1617, sanctioned by Louis XIII, in which his mother's favourite, Concini, was first shot, then stabbed for good measure and his slumping body kicked aside.⁷ Few censured such an act with its disturbing reminders of the Wars of Religion. It is not surprising that the decade which followed, both in numerical terms as Figure 11.1 demonstrates, and for its hold over noble culture, was the classic age of the duel in France, later immortalized by Dumas. The crown reacted: a number of men were executed in effigy for duelling and tougher laws followed in 1623 and 1626.⁸

The aggravation of factional intrigue at court in the 1620s between the supporters and opponents of cardinal Richelieu lent a high political dimension to private quarrels.⁹ As in the 1570s, the king's brother and heir to the throne was a focus for princely malcontents, otherwise known as the 'party of aversion' for its opposition to Gaston's proposed marriage to the duchesse de Montpensier. For the duellers themselves revenge and glory were more important than factional allegiances, which were in any case fluid and complicated by kinship obligations. On 24 April 1624 a cycle of violence began when Montmorency-Bouteville,

⁶ Grand, *Anjony*; BN MS Fr 21811 fo. 127, 13 Nov. 1603.

⁷ Moote, *Louis XIII*, 95.

⁸ APP AB 25 fo. 126, 18 July 1621.

⁹ For this and following Briost et al., *Croiser le fer*, 253–4.

a supporter of the princes, fought Pontgibaut, nephew of marshal Schomberg, an ally of the cardinal. Soon after the comte de Chalais killed Pontgibaut, according to the *Mercure*, a victory for the 'party of aversion', and the battle lines were drawn between the factions as Chalais attempted to obtain letters of pardon in contravention of the royal edicts. He had the support of Gaston, the comte de Soissons, and the duc d'Angoulême and was opposed by the kinsmen of the dead man, notably the duc d'Elbeuf and the rest of the Guise family.¹⁰ In March 1626 the quarrel continued when the comte de Thorigny fought (and died) in an attempt to avenge Pontgibaut against Bouteville, a friend of Chalais. The marquis d'Harcourt demanded satisfaction for the death of his kinsman and they fought three v. three in the most public place possible in Paris—the fashionable Place Royale—where the marquis de Bussy was killed. This was a direct challenge to the king's authority and his latest edict and, reluctantly, Richelieu came to the conclusion that an example was required. Following the execution of Bouteville, duelling did not disappear but the figures suggest a return to manageable levels in the 1630s.

Duelling was driven by the requirement to publicly repair one's honour and to achieve the maximum publicity for one's prowess. The blood spilt in the 'factional vendetta' of the 1620s was not that of the obscure and low born: Thorigny and Harcourt were scions of the two most important families of Lower Normandy.¹¹ Duels were not to be hidden but to be proclaimed and bragged about. In his memoirs the cardinal de Retz recounts his disappointment that of the three duels he fought in this period, none made the *éclat* he had expected. He positively welcomed a judicial pursuit for its publicity and was disappointed when proceedings were dropped. His third combat caused the greatest disappointment: 'I forgot nothing in order to broadcast [*faire éclater*] this combat, even to the point of positioning witnesses; but even they could not force destiny.'¹² There was a theatrical element to Retz's performance, since no one seems to have been killed in his duels.

As late as the 1620s trial by combat continued to be a feature of the French way of war and continued to make the headlines in newsletters. In 1600 Pierre de Bréauté, a volunteer in the Dutch garrison of Geertruidenberg, had quarrelled with the lieutenant governor of 's-Hertogenbosch (Bois-le-Duc) and challenged him to a combat of 20 v. 20. Bréauté was captured in this combat and, as soon as it was discovered that his opponent had been killed, he was murdered in cold blood. In 1624 the *Mercure* announced that during the siege of Breda the vendetta had been revived and their sons had fought a similar action. Accounts of the death of Bréauté *fils* vary, but the *Mercure's* version gives it a chivalric gloss.¹³ This sort of personal combat was also a feature of the Huguenot revolts of the 1620s. In the Vivarais in October 1622 the comte de Mirabel and Louis de Charbonnel sought each other during a battle and went to one side to fight with equal arms: both men

¹⁰ BN MS Fr 21811 fo. 90.

¹¹ The regional background to these events merits proper investigation.

¹² Quoted in *Croiser le fer*, 256.

¹³ *Mercure*, x. 793.

were wearing a cuirass, though Mirabel, who had a helmet, was badly wounded.¹⁴ Marshal Meilleraie, Richelieu's favourite cousin, was trapped underneath his horse and had to be saved by his own troops during single combat at the siege of la Rochelle. Condemned by the council of war, he was degraded and banished, but soon rehabilitated.

Attempts to curb duelling were helped by Richelieu's triumph at court during the Day of the Dupes (11 November 1630) and the subsequent flight into exile of many of his opponents and their followers. The factional struggle and the violence it had engendered ceased. Now the unruly retinues of Richelieu's opponents transplanted their petty squabbles from Paris to Brussels. Every disorder was gleefully reported by the *Mercur*e as a reminder of the exiles' moral failings. Especially troublesome were the conflicts between the supporters of the duc d'Elbeuf and the king's brother Gaston, although Elbeuf was not averse to stepping into the arena himself and was arrested in Brussels in 1642 on his way to fight the prince de Chimay.¹⁵ But while the duel abated in France it was far from disappearing and in 1636 Richelieu informed Louis of its reappearance, to which the king replied: 'It is something that must be remedied.'¹⁶ The provincial unrest and upheaval that was about to engulf large parts of the interior did not augur well for such a policy, and on Louis's death (14 May 1643) dramatic public duels returned to Paris and the Place Royale in particular.

The legacy of Richelieu's attempts to curb the duel was however a more proactive attitude to law enforcement: even though nothing came of it, at least the duc de Guise was interrogated by the Parlement of Paris on 15 December 1643 regarding his duel with Maurice de Coligny.¹⁷ In the provinces there is some evidence to suggest that those who did not wish to fight felt more comfortable about handing cartels over to the judges, despite the fear of ridicule, and some arrests were made.¹⁸ But as Fig. 11.1 demonstrates the number of deadly duels grew steadily during the regency and the civil wars of the Frondes, as royal authority waned. Once more, disputing parties were prepared to consider force. In November 1645 the intendant of Auvergne wrote of the local nobility 'that their quarrels now end in [armed] assemblies'.¹⁹ Duelling in Paris once again became commonplace, and those who should have been most concerned with its suppression set a bad example: around 1646 François-Hannibal d'Estrées, eldest son of a marshal of France, killed the comte de Plessis-Chivré in Saint-Germain-des-Prés.²⁰ During the Frondes not only were the retinues of the princely rebels disorderly but, in the absence of kingly authority, the princes themselves willingly descended into the arena. On 30 July 1652 in the Paris horse market behind the hôtel de Vendôme the duc de

¹⁴ Mazon, 'Trois combats singuliers'.

¹⁵ BN MS Fr 21811 fos. 8–24.

¹⁶ Moote, *Louis XIII*, 189.

¹⁷ AN X2b 1220, 15 Dec. 1643.

¹⁸ wysiwyg://20/http://marie.3palis.free.fr/histoire/histoire.htm (2003); AN X2b 1224, 9 July 1645; 1246, 31 Aug. 1657; AD Cantal, Fonds de Comblat, 13 Aug. 1647.

¹⁹ Lublinskaya (ed.), *Lettres et mémoires adressés au chancelier Séguier*, ii. 747.

²⁰ AN V3 85 fo. 415, 4 Feb. 1647.

Beaufort lined up against the duc de Nemours, each seconded by four men armed with swords and pistols. Before joining the combat in which he and two others would die, Nemours did not engage in ritual courtesies: 'Ah Knave! You'll have to kill me [first] or I'll kill you'—words utterable by men of any status, demonstrating how far all nobles, despite vast differences in wealth and status, continued to share a common culture of vindicating honour through violence.²¹ Even if we accept that the propensity of the authorities to investigate and record noble violence perhaps inflates the levels of crimes in the 1640s and 1650s in relation to preceding decades it is safe to assume that these were exceptionally violent times characterized by an increase in the number of deaths in duels and the aggravation of the noble feud.

THE ROBE BEHAVING BADLY

The evidence presented so far has pertained largely to the traditional sword nobility. Critics will point out that this group constituted only a part of the French nobility, a section that was arguably declining in wealth and numbers relative to those nobles who held royal offices, the *noblesse de robe*. Until the sixteenth century nobility had been inseparable from the profession of arms. It can be argued that the rise of an administrative class more educated than the sword nobility, with more refined manners, and dedicated to a more professional ethic of service marked a fundamental change in the nature of the French nobility and did much to secure the Bourbon dynasty. In particular, the introduction of the Paulette (1604)—an annual levy paid by office-holders to guarantee them rights to transmit their offices at or before their death—tied royal finances more closely to the principle of venality. Office immediately became a more secure investment, and the distinctions between robe and sword were heightened by the latter's snobbish disdain for pen-pushers and *arrivistes* who were pricing them out of the market for royal offices.

There is some truth in this view. That growing numbers were nobles by royal patent, by purchase of ennobling offices, and by simply styling themselves 'noble homme', is not open to doubt. Overall the nobility expanded—by 81 per cent in the *élection* of Bayeux between 1540 and 1598. The robe accounted for much of it. Whereas François I had made do with at most 12,000 *officiers* of all ranks, there were in the region of 80,000 by 1665. In Dijon, while the population grew by a half between 1556 and 1643 the size of the legal community grew by a staggering 222 per cent. Whereas the robe had only accounted for 11 per cent of seigneurial holdings in the Beauce in the early sixteenth century, by 1640 they accounted for half.²²

²¹ Anne-Marie-Louise d'Orléans, duchesse de Montpensier, *Mémoires*, ed. C. Bouyer, 2 vols. (Paris: Foutaine, 1985), i. 245.

²² D. Parker, *Class and State in Ancien Régime France: The Road to Modernity* (London: Routledge, 1996), 137.

In fact, this new group, far from being a force for peace and stability, was a consequence of the social mobility that had had such a pernicious impact on social relations. Moreover, despite the social antagonisms that divided them, robe and sword shared common material, ideological, and cultural interests.²³ Social prejudice should not be confounded with social reality. Recognition of their ascent required that the robe adopt the ethos of the traditional nobility; buying a seigneurie, marrying into the hereditary noblesse, embarking on a military career, and defending one's reputation in a duel were all means to secure social status. The robe itself was not a monolith but highly variegated by status, income, and profession. Not only did the robe carry swords when not in court or in the counting office, but the enforcement of many of the king's rights entailed the use of force, especially for those policing the king's waters, forests, and roads. The same criteria applied to tax collection. Office-holders were not bureaucrats; they purchased their offices, the escalating costs of which in the first half of the seventeenth century forced them to adopt more and more unscrupulous methods in order to make a return on their investment. Office-holders were not, like modern bureaucrats, specialists with clearly defined rules of competence. In some posts there was an overlap between competence in the law, the traditional expertise of the robe, and that of law enforcement, traditionally the realm of the sword nobility. This permitted social mobility. In March 1569 Pierre Perdrix, attorney at the Parlement of Rouen, purchased the office of *vice-bailli* of Caux and Gisors, which required him to perform the paramilitary function of riding around his jurisdiction pursuing malefactors. In 1620 Jacques Marguerit, councillor of the Parlement of Rouen, bought the office of grand provost, chief of the seven *vice-baillis* of Normandy, for 54,000 *livres*. This was no desk job: in 1616 his predecessor's son had been killed by brigands.²⁴ In Upper Auvergne the Lacarrière family, which held the office of *vice-bailli* for three generations, were of much humbler stock; descended from the Aurillac bourgeoisie their claims to nobility did not withstand the examination of their titles in 1666.²⁵

Cultural differences between robe and sword have been overplayed. True, Montaigne, mayor of Bordeaux and councillor of its Parlement, refers to judges like himself as the Fourth Estate, but in fact he embodied the virtues of scholarship and soldiering, and often alluded to his 'profession' without elaborating further, just assuming that the reader will understand it to be the military.²⁶ Education and professional training may have made the robe stand out through their humanist learning, their polished manners, their self-restraint and self-discipline, but wealth played a more significant factor in distinctions among the

²³ Ibid. 135.

²⁴ Jubert, 'Vibaillis and grande prévôté générale de Normandie', 100–1. In 1649 the latter office was sold for 75,000 *livres* to the son of the President of the Bureau des Finances of Caen.

²⁵ Greenshields, *An Economy of Violence*, 61.

²⁶ 'The only, essential, proper form of nobility in France is the profession of arms': Montaigne, *Essays*, ii. 7. See also: E. Schalk, *From Valor to Pedigree: Ideas of Nobility in France in the Sixteenth and Seventeenth Centuries* (Princeton: Princeton University Press, 1986), 6.

nobility. And lawyers, in particular, were predisposed to interrupt their careers to gain military experience. In some provinces, such as Provence, with its urban notability drawn from commerce, the military, and the professions, these distinctions were not relevant, and vindictory violence was not confined to any particular group. Elsewhere, much has been written about the prestige and influence of the *Parlementaires*. Certainly they were a powerful elite, but it is too often forgotten they accounted for a tiny proportion of the nobility of the robe. Their wealth and values made them closer to the aristocracy than to the mass of petty officials in the provinces, about whose conduct and mental horizons we are largely ignorant.

Those who collected the king's taxes, dispensed petty justice, and patrolled his rivers, forests, and highways were men accustomed to violence. The pressure of royal fiscality on the general population in the seventeenth century, not least the growth in the numbers of venal offices, caused endemic unrest and unleashed a 'culture of retribution' against royal officialdom.²⁷ Violence and intimidation against them by the traditional nobility, either defending their social pre-eminence in the community or protecting their peasants against royal taxes, was commonplace. A beating from a nobleman or his lackeys was still a professional hazard even for a councillor of the Parlement of Paris in the 1640s.²⁸ More than this: nobles of the robe were not just prepared for violence, but prepared to use it, not only in carrying out their official duties, but in order to protect the financial investment in their offices and to promote the advancement of their kin. Honour was no less an issue for fiscal officials. Had the challenge issued in 1651 by the president of the *élection* (or tax district) of Bourgaenuef been accepted by the chevalier de l'Estaing it would have been a signal that he considered the man his equal; as it was the president had to find someone more fitting to fight for him.²⁹ Office-holders had enemies like everyone else, often more so, and they pursued their personal ambition in the name of the king's interest. It is no surprise that royal sergeants figure so commonly in the pardon rolls: their *fleur de lys* badge sanctioned all sorts of misdemeanours and gave them preferential treatment in the courts. Office-holders could not rise above the feuds and animosities that cleaved local society, though they might choose, like Gilles de Gouberville, himself an office-holder, to act in a traditional mediating role.

In 1654 Brémond de Fraydit obtained a pardon in which he explained that two years before he had been convalescing at home in Lower Auvergne from a wound he had received in the recent civil wars, when he was visited by:

one Pascal, son of the sieur de Pascal councillor in the *cour des aides* [excise court] of Clermont Ferrand . . . who said to the supplicant that he believed him up to this point to be his friend and that he [hoped he] would not refuse to serve him in a challenge that had

²⁷ W. Beik, *Urban Protest in Seventeenth-Century France: The Culture of Retribution* (Cambridge: Cambridge University Press, 1997).

²⁸ AN X2b 1227, 30 Aug. 1647.

²⁹ AN X2b 1238, 28 May 1654.

been made to him by the Vachier de Saulces . . . and that the wager bound three [to fight] three each with his sword and pistol . . . he arrived with Pascal and the sieur du Lac at the rendezvous and immediately each man readied to defend himself . . . Vachier de Saulces advanced towards with him with his pistol in his hands and the supplicant was . . . obliged to fire his pistol which hit Vachez in the head and killed him immediately.³⁰

There is nothing remarkable about this duel, save for its participants. We can be sure that this Pascal was not Blaise, mathematician, philosopher, and, in the *Lettres provinciales*, fierce critic of duelling, since his father had sold the post of councillor in the *cour des aides* to his younger brother many years before and moved away.³¹ A better candidate is Blaise's cousin Martin, who in contrast to the rest of his family pursued a military career. Nevertheless, Blaise did not forget his Auvergnat roots and he returned to Clermont a few months after the duel and stayed for seven months. Biographical details about him are fragmentary and it is speculation whether his long stay in the town of his birth reflects a show of solidarity among the Pascal clan. All we can say for sure is that his patron, the duc de Roannez, governor of Poitou, would have provided powerful protection and is one possible reason why Martin Pascal, unlike his fellow combatants, did not apply for letters of pardon.

The significance of this letter of remission is that it not only demonstrates the substantial overlap between the traditional category of robe and sword, but also the existence of blood feuds among rival robe clans. Clermontais political society was deeply divided. Brémond de Faydit's descent was less illustrious than that of Pascal. His father François, *contrôleur provinciales des décimes* in Auvergne and president of the *élection* of Thiers, had been ennobled as recently as 1647.³² Brémond was a captain of foot and styled himself 'esquire', arguing that he was unable to decline his friend's request to fight 'without doing wrong to his profession'. Their other comrade, the sieur du Lac, also styled himself 'esquire', but was of more questionable status, since in September 1652 he had resisted violently attempts by the tax officers of Thiers to collect the *taille*, payable only by commoners.³³ The Vachier seigneurs de Saulces were rivals of Pascal in the *cour des aides*: Pierre Vachier had been president of the court from 1625 to 1645; his younger brother, Isaac, was councillor of the *présidial* court of Clermont. Isaac's son, François, councillor of the *cour des aides*, is the most likely candidate for the Pascal clan's victim, for he made a will on 15 April 1652 only a few days before the duel.³⁴

The roll of heinous criminals and murderers among the high robe is long, suggesting that they shared many of the 'libertine' and 'uncivilized manners'

³⁰ BN NA Fr 21709, fo. 478–478^v, June 1654.

³¹ For a genealogy: A. Tardieu, *Histoire de Clermont-Ferrand*, 2 vols. (Moulins, 1870–2), ii, 257.

³² *Inventaire-sommaire des Archives Départementales du Puy de Dôme, série C*, ed. M. Cohendy and G. Rouchon, 7 vols. (Clermont-Ferrand, 1893), 453 (1697–8).

³³ BN NA Fr 21709, fo. 479–479^v, June 1654.

³⁴ Tardieu, *Histoire de Clermont-Ferrand*, ii, 287; *Grand dictionnaire du département du Puy-de-Dôme* (Moulins, 1877), 322.

usually attributed to the aristocracy. Magistrates were more likely to let others do their dirty work; they employed lackeys and when threats and intimidation failed hired contract killers. They also accepted the notion that a settling of accounts should be public. At the end of the sixteenth century a councillor of the Parlement of Bordeaux killed his wife and her lover 'and exhibited their corpses on the street paving and they remained there the whole day'.³⁵ Jean le Ragois, councillor of the Parlement of Paris, had an enemy, a chancery official, gunned down on the Pont Notre Dame in broad daylight on 6 December 1652.³⁶ Better known, like the Pascal, for their wealth and piety, the le Ragois did not suffer from the scandal of Jean's interrogation by the Parlement: in 1655 his brother was appointed to the prestigious benefice of Saint-Sulpice. That *Parlementaire* families exhibited traditional martial virtues is unsurprising given that many of these families were the cadets of sword noble families, or at least related to them by marriage, and given the fact that the law courts themselves were highly politicized and factional squabbling endemic.

Evidence for the involvement of the high robe in feuding is compelling. Their wealth and social pretensions caused jealousy and antagonism among their neighbours, but their involvement in feuds often had a traditional aspect. When Philibert Barjot, master of requests and president of the Grand Conseil, died in 1575 his widow Marie Fernel, daughter of a celebrated physician, married Charles de Mailly, of a prestigious traditional noble lineage. The feud that began between the two families arose when Christophe Barjot murdered Louis de Mailly, a classic confrontation between stepbrothers over the maternal inheritance. The sons of Philibert Barjot, like many of the high robe, pursued complementary careers that gave the lineage the best possible chance of success: the eldest son, Jean, was a councillor in the Parlement of Paris; Christophe pursued a military career as ensign-colonel of a cavalry regiment; Charles was prior of Auneuil; and Philibert II a mathematician.³⁷ Their foothold in both the military and judicial establishment made them particularly formidable opponents. Because *Parlementaires* were either descended from the landed nobility or aspired to be seigneurs; they were inevitably embroiled in the same property disputes as their neighbours. Traditional divisions in the Parlements themselves were complicated by the Reformation. The family into which Montaigne married—the la Chassaigne—belonged to the *Parlementaire* elite of Bordeaux. Montaigne's eldest brother-in-law Geoffroy II (1540–1623) was already in dispute over possession of the barony of Chastelus-le-Marchieux in the 1570s. On his death he left the barony to a Catholic nephew, Charles de Fayolle, rather than to another nephew, Geoffroy III de la Chassaigne, who had a better claim

³⁵ J. de Gaufréteau, *Chronique Bordelaise*, 2 vols. (Bordeaux, 1877–8), i. 154.

³⁶ AN X2b 1234, 8 May 1652, 28 Aug. 1652, 7 Dec. 1652, 15 Jan. 1653, 1 Mar. 1653, 1 and 25 Sept. 1653. For a Rouennais comparison see Lublinskaya (ed.), *Lettres et mémoires adressés au chancelier P. Séguier*, ii. 20.

³⁷ Deladreur, 'Auneuil'.

but who was a Protestant. Geoffroy III wrested control from his cousin in 1642 only to be murdered two years later.³⁸

Lawyers and judges who held fiefs also behaved in the same fashion as their neighbours: lords and seigneurs, whatever their origin, shared similar concerns. With their contacts and penchant for pettifogging they could be particularly troublesome neighbours. The evidence from Normandy is particularly rich. Jean Abot had been a judge in the Perche for forty-five years and had made many enemies among the local nobility, and principally a rival legal clan, 'in hatred of which several wicked [gentlemen] had conspired his death on the feast of Pentecost 1578 in front of the church of Saint Francis . . . in Mortagne'.³⁹ In the mid-1590s Nicolas le Jumel, procurator-general of the Parlement of Rouen, joined a coalition of lower Normans who rid themselves of an unpleasant neighbour, the baron d'Echauffour. His prize was the dead man's widow, whom he married in 1597.⁴⁰ This sort of behaviour continued in the seventeenth century, most seriously in a feud which involved a number of office-holders of Eu and Tréport from around 1618 to 1632.⁴¹

Lawyers in particular were keen duellists.⁴² So too were some serving judges: in November 1628 the *lieutenant particulier* and a councillor of the *présidial* of Angers fought a duel, stemming from a fight in chambers two months before.⁴³ In Auvergne distinctions between lawyers and gentry were less noticeable, so that the 'Florentine customs which, in regard to murder were superimposed on the chivalric spirit of the our nation' were a feature of provincial attorneys who, in the 1630s, were in the habit of riding abroad with their retinues and fighting encounters.⁴⁴ Nor did office-holders operate outside of the clientage networks that shaped the political and material interests of their sword noble neighbours. Patrons remained essential for physical protection as well as advancement. Jean 'de' Begon *écuyer* was a gentlemen servant of the duke of Orléans, but his assumption of the noble 'de' was an affectation, for his family—financiers and tax collectors in the region of Blois—did not otherwise use the prefix. The Begon had been enemies of a rival office-holding lineage, the André, since about 1630. In 1638 Jean Begon and other ducal servants ambushed and wounded Anne André *lieutenant particulier* and Christophe, president of the *élection* of Beaugency. The André exacted a measure of revenge in 1646, murdering a member of the Begon gang.⁴⁵

³⁸ J. Boulaud, 'La Baronnie de Chastelus-le-Marchieux', *Bulletin de la Société Archéologique et Historique du Limousin*, 74 (1932), 23–104, has a faulty genealogy.

³⁹ AN X2a 1393 fo. 2^r, 24 Nov. 1582.

⁴⁰ *Inventaire des arrêts du conseil privé*, no. 16622, 23 Mar. 1609.

⁴¹ For the second half of the seventeenth century: Floquet, ii. 479, 482, 490.

⁴² François de Simiane fought in a duel on 2 July 1649 and later that year was received as a councillor in the Parlement of Grenoble: AN X2b 1238, 28 Apr. 1654.

⁴³ Louvet, 'Journal', pt. 5, 6 Nov. 1628.

⁴⁴ Boudet, *La Justice et la police prévôtâles*, 84–8.

⁴⁵ AN X2b 1224, 28 June 1646; 1228, 2 Oct. 1647.

All this is not to suggest that there were no antagonisms between robe and sword; rather, these antagonisms were only one of many factors shaping a dispute. Any newcomer to a parish or institution determined to assert his rights with disregard for those of the incumbents was in for trouble, whatever his social origins. Snobbery merely sharpened tensions over honours and rights. These tensions were as old as venal office-holding, as evidence from the fifteenth century shows.⁴⁶ By the seventeenth century the problem was multiplied many times over by the sheer number of new office-holders. Moreover, at a time of general economic depression the cost of office was spiralling, and the purchasers bound to attract more opprobrium than before. Fiscal officials, in particular, were despised for their low status and unscrupulousness. They and their progeny did fight duels, though not seemingly with the same verve as lawyers, and since their relationship with vindictive violence was related to issues of royal fiscality and lord-peasant relations they require separate consideration.⁴⁷

FISCALITY AND VIOLENCE

Many of those who staffed the royal accounting, tax, and excise courts were of course descendants of robe families. Emmanuel-François Garnier *chevalier*, scion of a judicial family, purchased his office of president of the *cour des aides* in Paris for 225,000 *livres*. Though the event is obscure, his murder in 1658 probably revolved around a property dispute in his native Poitou. It was only unusual because of the victim's status—he was probably the most prominent robe victim of the feud in the seventeenth century. Suspicion fell on his neighbour Barbe de Moussy; she was beheaded in effigy in Paris the following year.⁴⁸ Violence against fiscal officials was not only common, it was likely to be popular, for the burden of royal taxation was growing sharply. Mars' appetite for specie was voracious: even before France's declaration of war on Spain in 1635 the tax system had broken down due to peasants' reluctance to pay; it did not recover until the end of the 1650s. In 1634 a bankrupt crown defaulted on the annuities it paid to tax officers in return for loans. Consequently they ceased to be concerned with the timely payment of taxes and the intendants were dispatched from Paris to ensure the payment of arrears. This caused further aggravation and confusion between the crown and its petty officials.⁴⁹

⁴⁶ See also AN X2a 32, 5 Nov. 1461; 211 fo. 6, 16 Oct. 1483.

⁴⁷ Charles de Becdelièvre, king's treasurer at Rouen, died in a duel in 1623, but his family belonged to the high robe. H. de Frondeville, *Les Présidents du parlement de Normandie* (Rouen: Société de l'Histoire de Normandie, 1953), 438.

⁴⁸ APP AB 46 fo. 220^v, 1 Aug. 1659; Beauchet-Filleau, *Dictionnaire*, iii. 716. She was the widow of Pierre du Breuil-Helion sieur de Lavau, whom she had married in 1653.

⁴⁹ J. B. Collins, *Fiscal Limits of Absolutism: Direct Taxation in Seventeenth-Century France* (Berkeley and Los Angeles: University of California Press, 1988).

The predatory character of the royal fiscal system in which the corrupt few seemed to profit at the expense of the general population transformed relations between the crown and its subjects. Nobles were angered that royal taxes on their peasants undercut seigneurial income, already stagnant. Tax assessments were manipulated and politically charged, and the huge profits caused jealousy as tax officials invested in land, challenging the established hierarchy.⁵⁰ In Lower Auvergne, for instance, the rapid ascent of the du Four clan caused much resentment. In 1637, two years before he purchased the office of king's treasurer of Riom, Isaac du Four had already made himself rich collecting a deeply unpopular tax levied on animal stock. This had sparked off peasant resistance known as the *guerre des sabots*, which had to be crushed at the cost of 400 lives.⁵¹ So the du Four clan were already despised when they began to invest in land. These acquisitions alienated the Gouzel de Laval and the Doniol de Combalibeuf, particularly the seigneurie of Romaniargues which gave them control of the Gouzel family chapel in Allanche. The Gouzel and Combalibeuf used intimidation to keep the du Four at bay, forcing them to quit the town for most of the 1640s. When they returned in 1649 two of them were killed in a showdown. In August 1657 Isaac du Four and five others were ambushed and killed. Outlawed and sentenced to death the Gouzel-Combalibeuf gang took to the hills and waged a guerrilla war against the tenants and agents of the du Four. Isaac's brother Jean, tax farmer of the duchy of Mercœur, was killed on All Saints Day 1658 and his body mutilated. The last surviving brother, David, was forced to flee again, but on his return in 1665 he was once more under threat.⁵²

The evidence in this case is too one-sided to be wholly reliable.⁵³ We can be sure that few tears were shed for tax inspectors, and the elusiveness of the killers despite the best efforts of the intendant suggests local support. Nobles had a vested interest in protecting their peasants from royal taxes, in the same way that they were resentful of the tithe, and the conventions of good lordship required that they exercise paternal authority. Peasant unrest in the mid-seventeenth century was endemic to much of France and has been the object of substantial research; it was characterized by collusion with the local gentry.⁵⁴ The wider history of lord-peasant relations remains to be written. It impinges on our story only tangentially. Yet the relationship between noble neighbours cannot be studied in isolation from the relationship they had with their peasants. The manor and seigneurie of Gilles de Gouberville in the 1540s and 1550s was a harmonious and self-contained world in which the lord, who was at once judge, employer, physician, creditor, father, and friend, was barely distinguished from the peasants whose lives he

⁵⁰ See for example the bloody dispute over the barony of Thouron: Imbert, 'Les Grands Jours de Poitou', 297; AN X2b 1235, 26 May 1635.

⁵¹ A. Imberdis, *Histoire générale de l'Auvergne depuis l'ère gallique jusqu'au XVII^e siècle*, 2 vols. (Clermont-Ferrand, 1868), ii. 377.

⁵² Ranquet, 'En marge des mémoires de Fléchier'.
⁵³ There had been some attempt at integration or reconciliation for Jean du Four took as his second wife Jeanne Doniol-Laval.

⁵⁴ The starting point is Bercé, *Histoires des croquants*.

dominated.⁵⁵ Royal taxation, a growing burden at this time, would have begun to impinge upon these relationships, but did not yet bear comparison with the violent encroachment of the state that occurred in the following century. In any case, Gouberville was an unusually pacific neighbour to whom people came to settle their disputes. Such pastoral idylls were unrepresentative of Ancien Régime rural society during the Age of Iron, where lords routinely brutalized and oppressed their peasants, as cardinal Richelieu noted: 'It is a common failing of those born into this order to use violence against the people.'⁵⁶ The barbarity with which nobles might treat each other was magnified many times when the victim was of low social status. Louis Gerin had his ears cut off and was dragged behind a horse as an example for letting his cows graze on a local seigneur's lands.⁵⁷ Philibert de la Rocheaymon, 'the great devil', supervised the branding of peasants.⁵⁸ During the seventeenth century greater and greater demands on peasants were made by the state, adding to the traditional burdens of the lord.

The brigandage that distinguishes much noble violence is all too often romanticized: bandits had popular support in so far as they targeted royal tax officials. In fact, peasants, their crops, and cattle were often the first target and suffered most during noble feuds.⁵⁹ In its most serious form this could lead to wars between neighbouring villages that mirrored the disputes of their lords. The fifteen or sixteen years of war at the end of the fifteenth century between the inhabitants of Taurignan and Pratz, separated by only 5 kilometres across the Pyrenean foothills, resulted in murderous raids, the seizing of prisoners and cattle, the burning of farms, and demolition of mills. Enmity was operating here on three levels: between the peasants, between their immediate lords, and between their overlords, the Foix and the Albret.⁶⁰ Around the same time in the Basque country (June 1491) a battle between 200 inhabitants of Ustaritz and eighty men from the village of Espelette was broken up by the lieutenant of the *bailli*, but not before several people had been killed.⁶¹ This sort of event was rarer elsewhere, although nobles were still raising their tenants in private disputes into the seventeenth century. The obligation to protect one's peasants also continued to cause feuds. In the first decade of the seventeenth century the constable had to intervene in a dispute after the sieur de Fayet had stepped in to protect a cow herder who had been threatened by a neighbouring lord for grazing his cattle on contested property.⁶²

Peasants were adversely affected by social mobility, for the richest commoners of a parish paid the most in tax and aspired to remove themselves from the tax rolls

⁵⁵ E. Le Roy Ladurie, 'In Normandy's woods and fields', in *The Territory of the Historian*, trans. Ben and Sian Reynolds (Hassocks: Harvester Press, 1973).

⁵⁶ Armand-Jean du Plessis, cardinal de Richelieu, *Œuvres*, ed. R. Gaucheron (Paris: Plon, 1933), 88–9.

⁵⁷ AN X2b 1176, 26 May 1574.

⁵⁸ Delattre, *Généalogie de la maison de La Roche Aymon*, 140.

⁵⁹ For example: AD Cantal, Fonds de Comblat, 25 Jan. 1612.

⁶⁰ AN JJ 222 fo. 21^v, June 1491; 225 fo. 203^v, Oct. 1489.

⁶¹ The *bailli*'s fortuitous interference is suspicious: AN JJ 229 fo. 42^v, Apr. 1498.

⁶² BN MS Fr 3461 fo. 19, undated.

through purchasing offices or assuming noble status.⁶³ Peasants, like incumbent lords, had a vested interest in the status quo, and in disputes they would side with whoever was most likely to uphold their interest. Of course, peasant communities were not uniform and not everywhere united, especially in populous arable regions with a greater degree of social differentiation, where richer peasants were acquisitive often at their neighbours' expense. As a result, parish disputes were multi-layered and rival lords appealed to different constituencies. In the Loudunais, Gaspard Daubuz tried to prevent his neighbour from buying up common land in the village of Commynes. Daubuz told the community to stop the sales or otherwise the villagers would lose their commons. His neighbour persisted and enclosed woods and dug ditches, depriving Daubuz of his access to the commons, which occasioned a long legal action and blood taking.⁶⁴

The mistreatment and systematic abuse of peasants was not a matter of serious public debate before 1630. Thereafter the huge war effort against Spain turned what were once private matters between a lord and his subjects into a matter of state. Ministerial concern for the plight of peasants was not motivated by humanitarian feeling. Not only did the permanent establishment of the intendants in the provinces now provide Paris with greater information, the intendants were charged among other things with overseeing tax collection. They found that royal taxes, burdensome though they were, had to compete with all sorts of illegal imposts and tolls levied by the local nobility, not to mention the disruption caused by noble violence and banditry. Nobles encouraged their peasants to resist royal tax collectors. The result was the unprecedented prosecution of a number of powerful aristocrats for a range of crimes during the 1630s. The intendants were also charged with overseeing troop levies, route marches, and victualling among a hostile population. The relationship between soldiers and taxation was a close one: soldiers had to be diverted from the front to aid tax collection and special brigades were established to quell peasant insurgency. By this means state violence became a dominating feature of life in the mid-seventeenth century: the presence of unpaid and ill-disciplined soldiers in the localities invariably provoked a violent response.

State violence exacerbated traditional disputes among those nobles who were not away fighting at the front. The repression of popular disturbances permitted score settling against nobles and officials who were thought to be complicit in enforcing royal policies that were unpopular and perceived as illegal. Those who had commissions to raise troops for the war effort reinforced these feelings when they could not resist employing them for their own private ends: the quartering of one's troops was at once a political and a military decision, preserving the estates of one's friends and ruining those of one's enemies.⁶⁵ Before the outbreak of war in 1635 Louis de Pierrebuffière and the seigneur de Sauvebeuf, two of the most

⁶³ For example: AD Seine-Maritime 1B 3201, 21 Aug. 1585; 3206, 11 Oct. 1586.

⁶⁴ AD Seine-Maritime G 3503, 6 May 1587. ⁶⁵ Bercé, 'La Noblesse rurale', 47.

important lords in the Limousin, were in dispute. In 1637 Sauvebeuf used his royal commission to raise a company of light horse which enabled him to seize his enemy's estates. Pierrebuffière raised troops to resist. Inevitably, it was the local peasants who suffered most.⁶⁶ Sauvebeuf only desisted after five letters from the king. In 1645 he was at it again, lodging his regiment on the estates of another neighbour, the comte de la Rocheaymon, who summoned him to a duel after his peasants had protested about the ill-discipline of the soldiery.⁶⁷ More serious was the reopening of the feud between Paul Nollet *chevalier*, seneschal of the Lower Marche, and his superior, the provincial governor:

the seigneur Saint-Germain de Beaupré had been for a long time his mortal and irreconcilable enemy . . . and the officers and [some] inhabitants came to see [Nollet] several times to let him know that, in hatred of the commissions that it pleased the king to send to the Lower Marche, [Beaupré's] intention and that of the inhabitants was to commit a great many disturbances under the authority of his name and position.⁶⁸

Beaupré's regiment was drawn from the vicinity of Bellac and his soldiers joined with the townsfolk and other kinsmen among his tenantry in order to resist the collection of tax arrears. In 1637 a troop of twenty royal soldiers was ambushed and killed. But Nollet's complaint went further than this. The governor had raised an army of 1,000–1,200 men to pursue a private war, attacking his estates 'as if it were enemy territory', and on 1 May 1638 with the panoply of war (fifes and trumpets playing) stormed and pillaged his château at Masdubosc. Nollet fled to Paris but the private war continued: in June 1640 one of Nollet's valets and three of his peasants were killed. Two were carried back to Bellac 'and dragged around the streets and their entrails fed to the dogs'. Nollet's conduct was however not beyond reproach, and in the end it was he who faced arrest and interrogation by the Parlement of Paris (January 1641) on charges of large-scale cattle rustling and setting illegal tolls.⁶⁹

This dispute was complex and went back many years.⁷⁰ It shows however what peasants were capable of achieving when united and when they had aristocratic support—in this case the most important man in the province. This sort of protection was particularly useful to those communities or richer peasants who took their lords to court. In noble feuds peasants were obliged to support their lords, but in practice would only do so if it was in their interest. Claude Haton noted that the assassination of Louis de Barlier in Barbuise church in 1553 was interpreted as a sign of God by his tenants, so hated was he.⁷¹ By the same token, quarrelsome and tyrannical nobles were more exposed to peasant hostility than men like the peace-loving Gouberville. Alexis de Guérout, a hunting obsessive,

⁶⁶ Bercé, 'La Noblesse rurale', 48.

⁶⁷ AN X2b 1228 fo. 32^v, 22 Jan. 1648.

⁶⁸ AN X2b 1213, 7 Jan. 1641.

⁶⁹ AN X2b 1213, 8 Jan. 1641.

⁷⁰ Pierre Robert, 'Nouvelle Chronique, 1598–1645', ed. A. le Roux, in *Chartes, chroniques et mémoires pour servir à l'histoire de la Marche et du Limousin*, 297–9.

⁷¹ Haton, *Mémoires*, i. 1–4.

who had already murdered a neighbour in a hunting dispute, was in turn killed by peasants in 1687 at Mesnil-Hubert in Lower Normandy, resisting his demand that they accompany him in a wolf hunt.⁷²

THE LIMITS OF REPRESSION

The intendants, most of whom hailed from Paris, were shocked at the state of affairs in the provinces. Disciplining the nobility was a common theme in their dispatches: 'The nobility of Périgord has great need of being suppressed in the everyday fashion in which it dispenses justice among itself in its own fashion.'⁷³ They were worried that local justice could still not deal with noble violence—hardly helped by the expedient of selling yet more offices. Holders of newly purchased posts often found their strongest opponents among the ranks of local office-holders, who viewed the newcomers as a threat to their income and authority. The perpetual sale of office thus led to factionalism within local institutions. The Great Assizes were revived in 1634 after forty years in abeyance; their remit now covered the whole of western France: Maine, Anjou, Touraine, Poitou, Marche, Angoumois, Limousin, and Périgord. On 29 November the court sitting at Poitiers issued 233 sentences against criminals *in absentia*, and executed three men in the market square. As usual at the Great Assizes these men were of high status and the sentences were exemplary: two were Angevin noblemen, the third was the provost of Dorat, one of several officials to be hanged.⁷⁴ In addition, every judicial official in the region was summoned to answer for his conduct.⁷⁵

The 1634 Assizes were no more effective than their sixteenth-century predecessors, their purpose largely symbolic. Whatever good order was established was demolished the following year with the outbreak of war, consequent with troop movements, higher taxes, and large-scale unrest. In the face of hostility from judges, who felt their authority was being eroded, the intendants struggled to square the circle of maintaining order while feeding and paying troops. Like fresh-faced colonial administrators sent from the metropole under pressure to achieve results, the intendants were required to disregard local sensibilities, and their unaccountability was a major cause of the Frondes. Effective justice and thus good order relied as much on arbitration as on repression, but cooperation with local courts was impossible when the intendant's commission was opposed by a sovereign court, and therefore technically illegal. At the beginning of the Frondes the Parlement of Paris indicted the legal establishment of Moulins for cooperating with the intendant, Phélypeaux, who had operated in the Bourbonnais since 1643 with doubtful legality.⁷⁶ Phélypeaux's conduct had already brought him to the attention of the Paris magistrates. In August 1645, the comte de la Rocheaymon,

⁷² La Ferrière-Percy, *Histoire du canton d'Athis*, 267–70.

⁷⁴ Cornette, *La Mélancholie du pouvoir*, 229–30.

⁷⁶ AN X2b 1229, 12 July 1649.

⁷³ Bercé, 'La Noblesse rurale', 43.

⁷⁵ Robert, 'Nouvelle Chronique', 299.

'the great devil', had finally been cornered by a coalition of his enemies, the vice-seneschal of Guéret and the seigneur de Sauvebeuf. A notorious oppressor of the peasantry, he had abducted his wife in 1631 but grew tired of her after ten years and had her murdered. He evicted his own mother when she remarried. A guard of over 500 musketeers was readied to take him for trial at Guéret. At this decisive moment Phélypeaux, informed by the comte's relatives, stepped in and referred the case to the privy council, which astonishingly sent him for trial at the intendant's base at Moulins, where he was inevitably absolved. La Rocheaymon now overreached himself and, thinking that he was untouchable, returned to rule over his regime of cruelty. This time his opponents got him sent before the magistrates of the Parlement of Paris who, armed with a forty-five-page dossier of his crimes, were less convinced of his innocence; he died in October in 1648 after several months in the conciergerie.⁷⁷ Phélypeaux's meddling is one indication of why the intendants were so hated, but it was his blatant partisanship for a man widely considered beyond the pale even by the standards of the time which stuck in the craw of those charged with the maintenance of order.

The last and most celebrated Great Assize of the Ancien Régime visited Clermont in 1665–6; its jurisdiction was vast, not only covering the Auvergne but stretching as far as Berry and the Lyonnais. In addition, it received support from the Parlement of Toulouse, which held an Assize at Le Puy in 1666–7, illustrating the crown's determination to restore its authority throughout south-central France. The Frondes had created a power vacuum in the provinces. In 1648 the hated intendants had been recalled as a sop to particularist feeling. Many people, encouraged by their lords, stopped paying taxes altogether and for many years after the end of civil war royal authority remained weak. Local anti-tax movements led by the gentry continued until peace with Spain in 1659. The fact that the Great Assizes of the Auvergne were the last of their kind is usually taken as evidence of their efficiency in cutting the nobility down to size in one of the most backward and violent provinces in the kingdom. A great deal is known about the Assizes because two remarkable eyewitness accounts (Fléchier's memoirs and the journal of Dongois, a court clerk) afford a glimpse of provincial life unprecedented in its vividness and detail. The court got through an impressive amount of business: it judged 1,360 criminal cases (of which only 202 were new) and issued 692 sentences; of those charged, 12.5 per cent were noblemen; and of 109 murders investigated, 19 had been committed by nobles; 600,000 *livres* in fines were levied.⁷⁸

As in the past, the Assizes were principally concerned to punish crimes untouched by local judges and to target the social elite 'to defend the people against the oppression of the powerful'.⁷⁹ Examples from the social elite were

⁷⁷ The comte had influence and was attempting to get the case sent before the Grand Conseil before his death: AN X2b 1228, 22 Jan. 1648; Delattre, *Généalogie de la maison de La Roche Aymon*, 140.

⁷⁸ A. Lebigre, *Les Grands Jours de l'Auvergne* (Paris: Hachette, 1976).

⁷⁹ AN U 749 fo. 1, 'De l'origine des Grands Jours'.

required to make an impression; this had traditionally meant executing a few petty gentry and outlawing some bigger fish. The impressive total of sentences issued in 1665–6 translated into the actual execution of six gentlemen and seventeen others—much in line with the number of executions during previous Assizes. Fléchier, for one, was immensely taken with the operation and especially by the boldness of peasants who flocked to the king's justice: 'Never was there so much dismay among the mighty and so much joy among the weak.'⁸⁰ His claims for the effectiveness of royal justice are not to be dismissed out of hand and are valuable demonstrations of the symbolic power of the king's justice, the aura it had for contemporaries, and the popular desire for a strong central authority to curb tyrannous lords. As one peasant put it, 'the time of restitution had come'.⁸¹ Dongois, befitting someone who was familiar with the criminal justice system, was more cautious. He compared the short duration of the session and the long duration of the problems; the reluctance of subordinate judges to follow up the work of a transient court; and the habit of those condemned *in absentia* to return after the court's departure. Systematic pacification was not the purpose of the Assizes; instead 'the provinces derived some real benefit from them through the terror that they inspired in the guilty, and the example that they left for those who would emulate them'.⁸²

The Assize of Clermont differed in one important respect from its predecessors: it executed a leading member of the local aristocracy—Gabriel de la Mothe-Canillac, seneschal of Clermont, was arrested and executed in October 1665 for an encounter fought with another nobleman, d'Orsonette. His execution, at the very beginning of the court's session, had the huge impact for which it was intended. What astounded contemporaries was that la Mothe-Canillac had done nothing out of the ordinary, was in possession of a pardon, and was generally thought to be one of the more pacific members of the local nobility. Unusually for a prosecution there was no plaintiff; it was the procurator-general who reopened the case.⁸³ La Mothe-Canillac had been lulled into believing he had nothing to fear from the court; he was a kinsman of its president and, unlike the rest of his family, who had committed more heinous crimes, he did not bother to flee. He was executed *faute de mieux*.

Justice was seen to be partial. Fléchier reported that la Mothe-Canillac's attack on Orsonette was widely seen as legitimate and the reopening of the case unjustified: 'a most singular thing was found in this case and that they only happened to pick on this one in a province so full of crime: which was that the accuser [Orsonette], he who had conducted the investigation and the witnesses were greater criminals than the accused.'⁸⁴ The judges themselves pursued the case with a 'tear in their eyes', the pressure coming from above: the attorney-general

⁸⁰ Greenshields, *An Economy of Violence*, 225.

⁸¹ Ibid. 221.

⁸² Ibid. 225.

⁸³ AN U 749 fo. 421, 2 Nov. 1665.

⁸⁴ Fléchier, *Mémoires*, 66. On 2 November 1665 the court issued an order for Orsonette's arrest for killing his brother.

demanded the death sentence and, as with the execution of any member of the aristocracy, his motives were politically motivated—a dimension that requires further analysis.

In 1665 the crown was intervening directly in a series of feuds in Auvergne between office-holders and nobles.⁸⁵ But one event above all other had led to the calling of the Assizes: the dispute between Guillaume de Canillac marquis du Pont de Château and Jean Chardon, an aspiring robe nobleman who had recently succeeded his father as councillor of the *cour des aides* at Clermont.⁸⁶ Chardon had lost a suit against his father-in-law, a servant of the marquis, who called on his master's help to enforce the sentence; they sequestered and damaged Chardon's property, assaulted his wife, and called her a whore.⁸⁷ Chardon was a dangerous enemy: his connections enabled him to obtain a personal audience with the king. During the Assizes the marquis was imprisoned for three months, during which time Chardon did everything to get a capital sentence—a lot of evidence was heard about the marquis's oppression of his peasants. But of course there was nothing extraordinary about this and Dongois noted in his journal that 'after all the investigations into this affair it was found to be very slight, and surprising even more so that one had proclaimed it to have been terrible and extraordinary and highly criminal'.⁸⁸ The marquis was fined 2,000 *livres*.

There is every reason to believe that the bad relations between the marquis and Chardon were emblematic of a wider cleavage between the local tax administration, supported by Parisian financial interests, and the Canillac clan, the most powerful in the province.⁸⁹ Behind the calling of the Assizes and the targeting of the Canillac in particular it is not difficult to find a political motive. The Canillac had been ardent *frondeurs* and had usurped royal taxes to support the cause of the princes. And yet in this, as in their feuds with their neighbours and their mistreatment of their peasants, there was nothing remotely unusual. In the Auvergne there were many other culprits, some with more blood on their hands. The current state of research does not allow us to speculate on the king's role. Whatever Louis XIV's sentiments he did not lift a finger to protect the Canillac from their many enemies, at court, among the Paris bourgeoisie, and among the local tax regime. Louis was sending a powerful signal at the beginning of his personal rule: no one, not even the aristocracy, could afford to suffer the king's displeasure.

⁸⁵ Among the six gentlemen executed by the Assizes were Jean-Claude and Jacques Combalibeuf for their part in the assassination of Isaac du Four: AN X2b 1269, 22 Jan. 1666. Gouzel de Lavenal never faced justice.

⁸⁶ Jean's father had acquired the seigneurie of Saint-Bonnet for 132,800 *livres* and his uncle was king's treasurer at Riom: Tardieu, *Histoire de Clermont-Ferrand*, ii, 209.

⁸⁷ AN X2b 1267 30 Oct. 1665.

⁸⁸ AN U 749, 15 Jan. 1666.

⁸⁹ The Aldermen of Paris, who were owed money from the receipts of the *élection* of Clermont, had sent their own commission to the region with fatal consequences: AN APP AB 47 fo. 85^v, 14 Jan. 1660.

CONCLUSION

Great claims have been made for the political and psychological impact of the Great Assizes of the Auvergne. Louis XIV was acutely aware of the propaganda value of justice restored, and special commemorative medals were issued that proclaimed: 'The king's concern for the repression of the injustice and oppression of the *grandeurs* in 1665 and 1666 has been for the well-being of the provinces.'⁹⁰ The judges at Clermont were certainly more effective than their counterparts at Le Puy.⁹¹ But once the judges left the province there is no evidence to suggest that those executed *in absentia* were ever caught, or that fines were paid and châteaux razed. The experience of previous Great Assizes suggests that they were not. Witnesses who were familiar with the region and the law were sceptical of royal propaganda. Alexis de Chorollon, president of the *présidial* of Guéret, watched as the court became more and more lenient towards the accused, converting corporal punishments into fines, once it had satisfied the political necessity of executing a member of the Canillac. Not only did he lament the financial costs borne by plaintiffs and by defendants, who had to pay through the nose to avoid prosecution, but he saw the whole event as a spectacle: 'This jurisdiction made more noise and *éclat* than effect and the provinces received no profit nor relief from them.'⁹²

Thus, the factors that limited the crown's capacity and appetite for repressing noble violence were still present at the beginning of Louis XIV's reign, and the same assumptions about noble outlaws still operated; they would have to flee the province, or possibly the kingdom, temporarily before applying for letters of remission and the opportunity to return to the king's grace. The most notorious of them, Gaspard d'Espinhal, of whom Dongois said 'a book could be written of the crimes of this man, as wicked as any ever seen on this earth', entered the service of the duke of Bavaria, obtaining a pardon from Louis XIV at the time of the peace of Ryswick (1679), the rank of lieutenant-general, and the elevation of his title to a marquise.⁹³ The Great Assizes of Auvergne were intended as a drama that would impress the local audience. In this respect it differed not a jot from its predecessors. Had it taken place in isolation it would have had the same short-term impact, but its significance can only be measured when placed alongside attempts in the 1660s to institute a thoroughgoing reformation of the kingdom, in which the nobility and the *officiers* were among the principle targets. In order to understand how Louis XIV built the foundations for a well-ordered society it is to this that we must now turn.

⁹⁰ F. Bluche, *Louis XIV* (Oxford: Basil Blackwell, 1990), 113.

⁹¹ AN U 749 fo. 539; Baudouin, *Journal*.

⁹² Alexis Chorollon, *Mémoires*, ed. F. Autorde (Guéret, 1886), 48.

⁹³ Imberdis, *Histoire générale de l'Auvergne*, ii, 418.

14

Solutions

This mad Monster with all its many arms and legs, is only Man: weak, miserable, wretched Man. An anthill disturbed and hot with rage!

(Montaigne, *An Apology for Raymond Sebond*)

Further, it is no less, in fact much more, conducive to peace to prevent quarrels arising than to settle them afterwards; and all disputes arise from the fact that men's opinions differ about *mine* and *yours*, *just* and *unjust*, *useful* and *useless*, *good* and *bad*, *honourable* and *dishonourable*, and so on, and everyone decides them by his own judgement. Consequently, it is the responsibility of the *Sovereign power* to come up with rules . . . so that each man may know . . . what he should *do* and what he should *avoid doing* in social life.

(Hobbes, *De Cive*)

On 15 July 1724, 70 year-old Pierre de Montvallat, seigneur de Tournoël, of a distinguished Auvergnat lineage, accompanied by his bastard, Bellegarde, and two lackeys, was attacked by his enemy, the sieur de Rochevert, at Sayat on the road from Volvic to Clermont. In the encounter Montvallat was shot in the face and killed. The 'mortal hatred' between the neighbours was rooted in the rise of the sieurs de Rochevert, who had made their fortune in fiscal office, to local prominence at the end of the sixteenth century. From 1689 onwards the neighbours were at law and involved in violent clashes as the parvenu Rochevert chafed at the suzerainty of the seigneur de Tournoël, challenging his authority and disdaining to greet him. Rochevert's pre-eminence was sealed when he registered his letters of pardon in Paris on 25 January 1725.¹ This was a classic confrontation resulting from the struggle for local political and social dominance. It was not an isolated incident in the first half of the eighteenth century: there is evidence for the vitality of the feud in Guyenne, Lower Normandy, Maine, and Brittany.²

¹ E. de Clérambault, *Le Château de Tournoël* (Paris: Champion, 1910).

² L. Ribier, *Les Lieutenants des maréchaux de France en Auvergne* (Paris: Champion, 1914), 14–15. J. Meyer, *La Noblesse bretonne au XVIII^e*, 2 vols. (Paris: SEVPEN, 1966), ii. 1097–8; J. Ruff, 'Rural feuds and the control of conflict in the Guyenne, 1696–1789', *Proceedings of the Western Society for French History*, 14 (1987). M.-M. Champin, 'La Criminalité dans le bailliage d'Alençon de 1715 à 1745', *Annales de Normandie*, 22 (1972), 47–84, mentions the assassination of noblemen. The evidence for feuding, although he does not give the status of the parties, is more abundant in A. Margot, 'La Criminalité dans le bailliage de Mamers, 1695–1750', *Annales de Normandie*, 22 (1972), 185–224.

When Louis XIV assumed personal control of government in March 1661, choosing not to appoint a new chief minister to succeed Mazarin, the problems caused by aristocratic violence seemed superficially similar to those faced by his grandfather and father at the beginning of their reigns. True, levels of interpersonal violence had reached a new peak during the Frondes, and feuds, duels, armed assemblies, and abductions of women still preoccupied the royal administration into the 1660s.³ Nonetheless, the reassertion of royal authority that occurred under Louis was aided and in many respects preceded by long-term social, political, and religious change. For example, though schism was a problem yet to be solved, violence between Protestants and Catholics had been waning since the peace of Alès in 1629. By mid-century the initial passions aroused by the Reformations, Catholic and Protestant, were tempered by the demand for obedience to church discipline required by magistrates, pastors, and priests, as spontaneous demonstrations of piety turned into the quest for confessional consolidation and conformity. Education was at the forefront of the drive for moral reform. Not only did expanded educational provision for the social elite make them better acquainted with the precepts of Christianity, but it brought gentlemen into contact with and created a new market for edifying conduct literature which taught the young man how to avoid temptation in a sinful world and to conduct himself in a manner befitting his station. Conduct books were not new, except that after the Reformation issues of individual moral choice were more closely identified with political and social order. From the 1570s French thinkers had been struggling for solutions to the major problems of their day; they taught that the moral failings that had led to instability could be corrected by closer attention to the interior self.

CIVILITY AND ITS DISCONTENTS

The belief that medieval man was more barbaric than ourselves has outlasted the twentieth century, indubitably the most barbaric century in human history. To many of the great modern thinkers not only was the notion that medieval man was more irrational, more spontaneous, and more prone to emotion than ourselves a given, its loss was to be lamented. Freud's concept of instincts as a force of nature and the subsequent definition of culture as the repression of this force is debatable, and his biological reductionism has not generally found favour among historians. More influentially, Norbert Elias adapted Freud's theory of psychic evolution by arguing that the human psyche is moulded by specific historical forces, such as social conflict, and political culture, such that each era of human social organization produced a body of manners, from medieval courtesy to the restraints on modern bourgeois man, that inhibited or controlled behaviour. Social constraints

³ G. B. Depping (ed.), *Correspondance administrative sous le règne de Louis XIV*, 4 vols. (Paris, 1850–5), ii. 9, 143, 153, 163, 171, 259.

were gradually internalized over time and were absorbed into the subconscious, making control of the emotions and awareness of the boundaries of social etiquette second nature. The key transformation in the West occurred in the early modern period with the 'courtization' of the nobility. Growing demands for polite conduct and civility meant that impulses and outbursts of emotions were increasingly controlled and crude manners less tolerated. This is associated with state formation, since princely courts were arenas where new standards of behaviour were learnt and disseminated. Warriors were turned into courtiers; violent instincts were tamed and suppressed.

Elias has had his critics, but remains immensely influential. His ideas are especially important to the history of France, because for Elias the French court is a cynosure of civilizing values. French aristocratic culture, with its refined codes of behaviour, its stress on politeness and elaborate social etiquette, was a progressive force opposed to 'barbarism' and formed the basis of 'civilization' as it emerged in the eighteenth century. Among French historians, Elias's model has been most fruitfully employed by Robert Muchembled in several works on cultural change in early modern France. He argues that, while aggression and physical violence declined slowly over the centuries, the court of Louis XIV played a 'primordial' role in taming the turbulent French nobility, whose values trickled down to the rest of society.⁴ Absolutism is thus the corollary of courtesy.

It will be apparent that this linkage of the civilizing process to a teleological construal of state construction is not consistent with the research findings in this book. To be fair, Elias's concept of the civilizing process is sophisticated and repays more serious thought than the historical works it has so far inspired. Elias's civilizing process is not a rationally planned political project but a dynamic arising in social competition, fostering imperceptible and subconscious changes in behaviour over the generations. And Jonathan Fletcher has recently mounted a vigorous defence of Elias's central idea that civilization is the product of the suppression of the will to violence.⁵ Essentially, the warrior nobility in the Middle Ages, though not devoid of conscience, lacked automatic self-restraint—they revelled in violence. Violence was uninhibited and less impeded by shame and revulsion. From the sixteenth century the stricter regulation of drives and the internalization of codes and shame and embarrassment led to greater self-restraint, aggression controlled. Courts increasingly became the arena of conflict: violent feuds were sublimated into factional struggles over access to the king.

From the point of view of the historian, the major criticism that can be made of this approach is that it has little faith in the role of law, custom, and religion in limiting violence. Medieval man may have differed in many respects from us, but his behaviour was no less shaped by social constraint. We discussed in Chapter 9 how Christian and community pressures operated to regulate violence, and we might add that by the late Middle Ages the laws of war were well defined and

⁴ Muchembled, *L'Invention de l'homme moderne*, iii.

⁵ Fletcher, *Violence and Civilization*.

enforceable in courts of law. Elite violence in France did not abate during the Renaissance; indeed it was very much worsened by the breakdown of these social constraints. There is a further and more fundamental objection to Elias's model, one that is conceptual rather than empirical. Elias assumes that whereas manners and etiquette are subject to change, violence is a constant. Violence is conditioned by a biological template; it is the product of an emotional drive that requires control. Elias, like Freud, assumes that medieval man is more spontaneous than us, less given to self-reflection and restraint; he represents the child to our man; the savage other to our civilized self. It is more commonly accepted today that anger is shaped by cultural rather than emotional templates. In many so-called primitive societies propriety and self-restraint are highly prized. Violence is a term that covers a vast range of acts, the responses to and acceptable boundaries of which are shaped as much by custom and law as by ego. In acts of vindictory violence there was an expectation that responses should be reasonable and equivalent to the offence. Acts of berserk rage account for a small minority of acts of revenge.

A further objection pertains to the dynamics of the civilizing process and its applicability to state formation. Conduct books had been around since at least the twelfth century, but the decisive breakthrough came in the Renaissance with the printing press and the spread of humanist reworking of the concept of *civilitas*, beginning with Erasmus's *On Civility in Children* (1530) which instructs the art of forming young people in bodily functions, comportment, dress, table manners, and gestures, to mention but a few.⁶ Civility also had a political function, however: Castiglione's *Courtier* (translated into French in 1537) and the *Galateo* of Giovanni Della Casa imparted manners and codes of conduct that taught the upwardly mobile how to impress and rise in the world. Civility was associated with the cultivation of virtue and the conduct of the citizen in the political community. Its introduction into the vocabulary of manners, previously associated with the term courtesy, via humanist educational texts and conduct manuals, projected wider concepts of political and social order onto the field of social behaviour.⁷ For Elias, du Peyrat's translation of the *Galateo* in 1562 was an important turning point, dedicated as it was to the young 'Henri de Bourbon, prince of Navarre, whose life most visibly symbolizes this transition from the chivalrous to the courtly man and who, as Henri IV, was to be the direct executor of this change in France'.⁸ Anyone with a passing knowledge of Henri IV's court will recognize this as nonsense: it was by any standards much less refined than that of his immediate predecessor. Levels of violence remained high and the king himself was inured to bloodshed. He cultivated a rustic uncourtly persona and his practices shocked more refined sensibilities.⁹

⁶ For its role in Elias's thinking: *The Civilizing Process*, i. 44–5.

⁷ A. Bryson, *From Courtesy to Civility: Changing Codes of Courtesy in Early Modern England* (Oxford: Oxford University Press, 1998).

⁸ Elias, *The Civilizing Process*, i. 178.

⁹ For a revealing portrait of father and son: E. Marvick, *Louis XIII: The Making of a King* (New Haven: Yale University Press, 1986).

That manners became more refined during the Renaissance is not at issue, but the link between them, self-restraint, and a decline in violence is not self-evident and certainly not organic. Do refined manners necessarily make men more 'civilized'? Outward fastidiousness can conceal the monster, as Elias would have known from his own experience as a refugee from Nazi Germany. More conduct books were published and *politesse* became more refined in the seventeenth century, at precisely the same time as the duelling craze reached its peak. It is tempting to see the fashionability of conduct literature in France less as a signal of changing codes of behaviour, than as yet another response to the problem of social and political order. Like the attempt to codify duelling, it had little discernible impact on levels of violence. Contemporary critics of Castiglione and Della Casa saw them as promoting the art of pleasing—dealing in a form of refinement that did nothing to reform the man within, for manners and refined behaviour are nothing but artifice that cover pride and ambition.¹⁰ Civility, in this limited sense, is not about self-discipline, it is about polish. In France, this critique played on deep currents of anti-court feeling and anti-Italian prejudice, for the Italian was just too smooth and beneath the surface his intentions were always Machiavellian.

In any case, most conduct books continued to promote the profession of arms as the highest virtue a gentleman could aspire to and, although they stressed the values of self-restraint in addition to *politesse*, this was not true in every case. *La Fortune des gens de qualité et des gentils-hommes particuliers*, written by a soldier, Jacques de Caillièrre, in 1665, is much more concerned with the practical aspects of how to succeed at court; it is a treatise on the black arts of politics and has little to say about manners. Refinement for Caillièrre is a means to an end: finding the right patron, profiting from the misfortune of others, 'discovering the most amazing secrets, while hiding your own' for 'the wise man only shows his exterior'. There is also a place for violence within its accepted limits: 'Give no offence, but suffer no offence.'¹¹ While arbitration is counselled, 'the goal of a gentleman should not only be the acquiring of esteem, but also to make his fortune with his sword'.¹² It could be pointed out that this treatise was written before the elaboration of court ritual and order reached its apogee amidst the imposing grandeur of Versailles, where Louis spent increasing amounts of time from 1670 and which became the permanent seat of government from 1682. Like all kings, Louis wanted his nobility to attend him at court and he could best do this by appealing to their sense of fun. Behind their refined manners noblemen continued to have libertine tendencies: the court was an arena of excess. This repelled moralists but was precisely what attracted nobles. They flocked to court in the 1660s and 1670s with the prospect of *divertissement*. But after the queen's death in 1683 and with Louis falling under the spell of the pious Madame de Maintenon, Versailles, which was in any case more grandiose than comfortable, was shunned in favour of the pleasures of Paris.

¹⁰ M. Magendie, *La Politesse mondaine et les théories de l'honnêteté en France au XVII^e siècle, de 1600 à 1660*, 2 vols. (Paris: Alcan, 1925), 154–5, 393.

¹¹ Ibid. 58.

¹² Ibid. 149.

It is a pity that Elias had not read Montaigne, who appreciated what he called the new 'social dexterity' (like Castiglione he equated the highest grace in behaviour with nonchalance), but remained detached about the new refinement.¹³ Montaigne, an acute observer of the manners and habits of his own culture and of others, most famously in *On the Cannibals*, saw the superficiality in the shift from virtue to polish and the shallowness of contemporary civilized values which, with the discovery of the New World, were consciously defined in opposition to the barbaric customs of 'savages'. Unlike conduct books, it is relatively easy for us to chart Montaigne's impact on society; his ideas were widely read and discussed throughout Europe and were immensely influential in the seventeenth century. He liked to style himself as a simple country gentlemen, and had little time for etiquette: 'Kings and philosophers shit: and so do ladies.'¹⁴ Montaigne's assertion that we should not be slaves to etiquette and fastidiousness is a powerful counter-balance to the psychological definition of civilization—that civilization is the end product of a linear process of increasing self-control generated by the progressive internalization of stricter codes of refinement.

HONNÊTETÉ AND THE HONNÊTE HOMME

When Thomas Hobbes arrived in France as an exile in 1640 it was to begin eleven years of the most fruitful intellectual activity of his life, in which he would meet and debate with the leading French thinkers of his day, including Descartes. It was here that he would complete a lifetime of thinking about the science of politics with the completion of *De Cive* and the writing of *Leviathan*. While these works later became acknowledged as masterpieces, Hobbes was something of an outcast in England after his return in 1651; attacked for his atheistical views, 'a writer who was read only to be confuted'.¹⁵ Hobbes had felt more at ease in Paris and it was noted how thoroughly Frenchified he had become in his dress and manners.¹⁶ The admiration was mutual: *De Cive* was translated by his friend Sorbière and went through three French editions between 1649 and 1651. Though a translation of *Leviathan* was never published, the ideas it contained had an immediate impact and were discussed in intellectual circles. Quentin Skinner has concluded that 'Hobbes's French disciples regarded him not merely as the greatest but as the most convincing philosopher of the age.'¹⁷ Hobbes's exposition of the need for absolute sovereignty in the state, so troubling for his English contemporaries, struck Frenchmen as his finest achievement and as the antidote to the ills plaguing their kingdom. Hobbes's popularity in France was partly to do with the recent

¹³ D. Quint, *Montaigne and the Quality of Mercy: Ethical and Political Themes in the Essays* (Princeton: Princeton University Press, 1998), 59.

¹⁴ 'On experience', *Essays*, iii. 13.

¹⁵ Q. Skinner, *Visions of Politics*, 3 vols. (Cambridge: Cambridge University Press, 2002), iii. 309.

¹⁶ N. Malcolm, *Aspects of Hobbes* (Oxford: Oxford University Press, 2002), 458.

¹⁷ Skinner, *Visions of Politics*, iii. 317.

experience of popular rebellion and disorder during the Frondes and the widespread desire in intellectual and government circles to re-establish social order. For Hobbes civility and manners are not prerequisites of social mobility but tools of self-interest for the preservation of society. Man finds peace by subordinating his desires and will to the sovereign, for as the quote that begins this chapter shows man can never be at peace with his neighbour, and thus self-disciplining is essential for our well-being. These ideas were not new to Frenchmen since they built on a neo-stoic tradition that we can trace back to Montaigne. Hobbes's breakthrough was to establish that social accommodation and complaisance was a law of nature.¹⁸ Hobbes's success in France was therefore due to the fact that his laws both elaborated on and were a summation of a corpus of pre-existing literature, a body of thought that was not confined to an intellectual clique but widely disseminated throughout society via manuals. This literature was a response to the violence of elite society, and it is worth tracing its genesis and the remedies it proposed.

The Renaissance had stimulated interest in Ciceronian models of political virtue which argued that the citizens required liberty, which would in turn stimulate virtue.¹⁹ But schism and civil war shattered this ideal. As David Quint has shown, Montaigne's *Essays* directly address the preponderant role played by violence in the aristocratic honour code.²⁰ Montaigne proposes a new ethics counter to the traditional model of heroic virtue, arguing that the man of honour should resist the requirement to take revenge and display the virtues of clemency and mercy. These concepts are not formulated in the censorious language of Christian morality, rather they appeal to the man of honour by carefully demonstrating that self-discipline is in his own self-interest: mercy aggrandizes the merciful and makes the recipient a sort of living trophy; the exhibition of clemency allows the prince to shine among the base who are slaves to passion; true revenge is to be achieved through humiliating one's opponent. Above all, Montaigne appeals to social snobbery. Goodness is an aristocratic virtue and only the aristocrat is capable of rising above customary revenge; he distinguishes himself from the mob by his self-control and decency—*indignus Caesaris ira*.

The values that Montaigne espoused were not the exterior polish required of the courtier, and he admitted lacking many of the virtues commonly associated with the civilized virtues of court life in particular; rather his *honnête homme* had a certain way of looking at the world, of weighing it up and considering it from an intellectual standpoint. Self-discipline formed the core values of *honnêteté*—distance, reserve, moderation, and courtesy.²¹ Montaigne's man is not interested in the art of pleasing but in self-mastery and self-knowledge. The impact of Montaigne's philosophy on thinkers such as Descartes, Pascal, and Hobbes is well

¹⁸ Bryson, *From Courtesy to Civility*, 258.

¹⁹ One thinks here of Rabelais's Abbey of Thélème.

²⁰ Quint, *Montaigne and the Quality of Mercy*.

²¹ For example 'On restraining your will', *Essays*, iii. 10.

known. More significant for the study of violence is its adaptation and popularization through the medium of devotional and conduct books. Montaigne's emphasis on the control of harmful passions fitted well with the Catholic revival that was under way in France at the end of the sixteenth century, and was a powerful antidote to the excessive passions aroused by the Catholic League. As the seventeenth century progressed it underpinned the move towards a moral rigorism, which in its most extreme form, Jansenism, regarded all worldly virtues as tainted and developed a strict ascetic inner piety.²² Pierre Charron, priest and disciple of Montaigne, in the much reprinted *De la sagesse* (1601), distilled and simplified neo-stoic thought for the benefit of the ordinary believer, fulminating against exterior polish in favour of inward constraint:

What vanitie and losse of time is there in those visitations, salutations, congies and mutuall entertainments, those offices of courtesie, orations, ceremonies, offers, praises, promises! How many hyperbolicall speeches, hypocricies and impostures are that in the sight and knowledge of all, both of those that give them, that receive them, that heare of them!²³

Charron's anti-social message was antithetical to a noble sociability based on reciprocal recognition of honour regulated by courtesy and hospitality, and it may be that Charron's work had more currency within bourgeois circles. Indeed, the biggest-selling conduct book of the seventeenth century, *L'Honneste Homme ou l'art de plaire a la court*, which went through thirteen French editions alone from 1630 to 1681, was written by a bourgeois, Nicolas Faret, for the provincial gentleman making his way at court. Faret marries the refined manners required of the courtier with the requirements of self-discipline and self-restraint; it remained the model for conduct literature for the rest of the century.²⁴ As the seventeenth century progressed, and despite the complaints of moralists, the distinction between the categories of *honnêteté* and civility blurred so much that they had become indistinct by the beginning of the eighteenth century.²⁵

The expansion of education inculcated neo-stoic precepts among the social elite. In literature and the arts the new sensibility was manifested in the shift from the heroic autonomy displayed in Corneille's great tragedies to a noble forbearance, which could be portrayed as a form of virtue. After the upheavals of the Frondes there was a tone of resignation for 'those who had tried to act like Corneillian heroes in real life were no longer in the mood' for passions stronger than love.²⁶ Establishing the hegemony of the Olympian spirit in French cultural life was a task undertaken by a rejuvenated court from the 1650s, a theme that reached its apogee in the tone of Racine's plays, which are suffused with a deep sense of human inadequacy in the face of the pitiless and immutable power of the

²² For his influence on Pascal: R. Tuck, *Philosophy and Government, 1572–1651* (Cambridge: Cambridge University Press, 1993), 84–5.

²³ Quoted from the 1615 English edition *Of Wisdome*, 126.

²⁴ Magendie, *La Politesse mondaine*, i. 305–8.

²⁵ Y. Castan, *Honnêteté et relations sociales en Languedoc* (Paris: Plon, 1974), 25.

²⁶ Parker, *Class and State*, 144.

gods. Whereas the tragic in Corneille had emanated from the 'clash of wills', in Racine it flows from the 'subjection of mankind to the will of God'.²⁷

An analysis of the impact of neo-stoic discourse on aristocratic behaviour in general and patterns of violence in particular is not merely an empirical task, for it is only with difficulty that we can isolate the field of society from the interpretative framework established by modern thinkers. Their conclusions have been largely negative. From Nietzsche onwards the repression and sublimation required by stoicism was felt to have had a pernicious influence on man, one that required curing or overcoming.²⁸ Michel Foucault was concerned with the technologies of power and domination and how they become inscribed upon the individual soul. Towards the end of his life, he was working on a study of stoic techniques of self-examination and more precisely its use as a tool of political power.²⁹ He underlines the significance of the shift in the meaning of the word *police*, arguing that this period witnesses an elaboration of the government of the self, and drawing our attention to Turquet de Mayerne's 1611 assertion that 'The police's true object is man.'³⁰ For Foucault, the baroque state imposed its hegemony not just through social conformity, but by the subjection of the body and soul of the individual. He invented the term the 'political technology of the body' by which the state makes use of the soul, 'the prison of the body', as 'the effect and instrument of a political anatomy'.³¹ This hypothesis rests on the assumption that a more natural and pleasurable way of life exists free from the artificial constraints of society. For Foucault 'the life and time of man are not by nature labour, but pleasure, restlessness, merry-making, rest, needs, accidents, desires, violent acts, robberies etc'.³² Nietzscheans wish us to recapture this Dionysian spirit and, with regard to civility, presuppose that we have lost more than we have gained.³³ They necessarily emphasize the distance between the medieval and baroque self.

Even if we accept that the stoic technique of self-examination was a dominant organizing discourse during the Baroque, this is far from conceding that it determines individual choice. Human agency is shaped by the relationship between discourse and basic habits, mental horizons, and taste which are second nature to the possessor, or what Pierre Bourdieu terms *habitus*. Nobles found it extremely difficult to conform to the Christian injunction that one should love one's neighbour, and so too with Stoicism: the evidence for the persistence of vindictory exchanges despite the blandishments of moral philosophy and the requirements of *honnêteté* is overwhelming. In the same way that anti-duelling

²⁷ Parker, *Class and State*, 145.

²⁸ In particular *On the Genealogy of Morals* (1887).

²⁹ L. Martin et al. (eds), *Technologies of the Self: A Seminar with Michel Foucault* (London: Tavistock, 1988).

³⁰ Ibid. 56.
³¹ R. Muchembled, *Popular Culture and Elite Culture in France, 1400–1750* (Baton Rouge: Louisiana State University Press, 1985), 188.

³² Quoted in I. Burkitt, *Social Selves: Theories of the Social Formation of Personality* (London: Sage, 1991), 98.

³³ This is not to suggest that Nietzsche himself would have approved of such sentiments, as his dismissal of Rousseau in *Human, All too Human* (aphorism 463) shows.

treatises only shaped attitudes to the duel at the margins, so conduct books are only a partial and imperfect guide to the real world. As late as 1683, in his *Instructions pour un jeune seigneur ou l'idée d'un galant homme*, Trotti de la Chetardière warns that while disputes of honour are initially conducted according to rules 'usually [things] do not remain in these terms. Your adversary ambushes you; you believe that reprisal is just and you do the same to him.'³⁴ Trotti is describing the beginning of a feud. The further one travels from Paris the vainer the search for the *honnête homme*. In his study of Languedoc, Yves Castan has questioned how far ideas of *honnêteté* penetrated the provinces. A form of civility became widespread, for while it was necessary to assume polished manners in order to get on or distinguish oneself from the rabble, the faculties required and the inclination for rigorous techniques of self-examination and control were rare. Even in Stendhal's Dauphiné, Parisian manners and modes of speaking are well known, but mental horizons remain limited by custom and provincial culture.³⁵

There is however evidence for a change in noble mores from a surprising source. It was not part of a subconscious and directionless historical process, as evinced by Elias, but arose out of a conscious and rational response to contingent historical circumstances. In response to the popular rebellions and the breakdown of order during the Frondes many gentlemen questioned their behaviour, displaying a desire for peace that rhymed with current theological thinking. Baroque Catholicism's anti-social moral rigorism, typified by the dominance of Augustinian theology, was to a certain extent tempered by a revival in interest in the virtues of practical peacemaking, especially among the followers of St Vincent de Paul. Among the nobility this was characterized by the efforts of the pious to eradicate duelling. The initial impulse for the Confraternity of the Passion, an association which renounced duelling, came from Lower Normandy and the circle around Gaston baron de Renty, a friend of the saint. A Parisian branch was established in the parish of Saint-Sulpice, where the reforming mission of its curé from 1641, Jean-Jacques Olier, was much concerned with the needs of the poor. Olier established a *conseil charitable* which met twice a month to resolve neighbourly disputes. His holiness brought him to the attention of the regency, and he joined Anne of Austria's *conseil de conscience*—a pious antidote to a regime widely criticized for its worldliness. Olier's emphasis on practical missions among the poor was antithetical to Jansenist teaching on predestination and grace and led him into a bitter battle with the rigorists.³⁶

On the death of Renty in 1649, leadership of the Confraternity, which initially had only six members, devolved upon Antoine de Salignac de la Mothe-Fénélon, a distinguished soldier and duellist who had undergone a conversion experience

³⁴ J. Trotti de la Chetardière, *Instructions pour un jeune seigneur ou l'idée d'un galant homme*, 2 vols. (The Hague, 1683), ii. 79.

³⁵ Castan, *Honnêteté*, 493.
³⁶ G.-M. de Fruges, *J.-J. Olier, 1608–57: curé de Saint-Sulpice et fondateur des séminaires* (Paris: the author, 1904); C. Hamel, *Histoire de l'église de Saint-Sulpice* (Paris: Le coffre, 1900).

and fallen under Olier's influence. At Pentecost 1651 more than a dozen confreres took an oath in the chapel of Saint-Sulpice seminary:

The undersigned publicly and solemnly make known by this declaration that they will refuse every form of challenge, will for no cause whatever enter upon a duel, and will in every way be willing to give proof that they detest duelling as contrary to reason, the public good, and the laws of the State, and as incompatible with salvation and the Christian religion, without, however, relinquishing the right to avenge in every legal way any insult offered them as far as position and birth make such action obligatory.³⁷

Several months later the gentlemen of the king's household took a similar oath, and the movement soon spread to the provinces, although at first the numbers were small—only twenty-five in Normandy, and even smaller numbers in Dauphiné (six) and in Lower Quercy (three).³⁸ Greater success came where there was institutional impetus. In 1655 the noble deputies of the Estates of Languedoc unanimously took the oath, soon after copied by their counterparts in Brittany, who also stated that henceforth no delegate was to be accepted who had not signed it. But the influence of the Confraternity is not to be judged in the numbers who signed, many of whom lapsed into bad habits. For though, like its sister organization the Confraternity of the Holy Sacrament, the Confraternity of the Passion was a secret society and thus viewed with some suspicion by the crown, it was a powerful lobby and instrumental in the royal campaign against duelling under Louis XIV.³⁹ Moreover, it gave heart to those gentlemen, such as the duc de Navailles in 1660, who could now with a clear conscience refuse a challenge, where previously they were branded cowards.

Individual bishops and provincial governors had an important role to play: the governor of Brittany for instance collected 174 signatures. For others the work had a spiritual dimension. The prince de Conti, a Frondeur turned Jansenist, used his experience of pacifying the kingdom's largest province, Languedoc, where he was governor from 1660, to produce *Les Mémoires touchant les obligations d'un gouverneur de province*, which appeared in four editions from 1666 to 1669. It was a practical handbook and contained not only a guide for forswearing duels but also examples of twenty-five pro forma reconciliations covering all possible eventualities. Peacemaking meant being proactive, acting on rumours, for 'the Noise of the Quarrel coming by this means to spread among the Neighbouring Gentry, the Friends interest [*sic*] and divide themselves for one or other of the parties, from whence follow grievous Inconveniences and Disorders'.⁴⁰

Behind this remarkable upsurge of peacemaking activity lay the wider campaign for a reformation of manners among the social elite. Beyond the capital there was a reaction by the provincial nobility to its past misdemeanours. In 1659 the nobles

³⁷ Billacois, *Le Duel*, 466.

³⁸ Ibid. 286.

³⁹ Ibid. 290–2.

⁴⁰ W. Bray, *The Works of the Most Illustrious and Pious Armand de Bourbon prince de Conti* (London, 1711), 17.

of Périgord and Limousin, notoriously unruly provinces where feuds were common, gathered to sign an association:

Since it has pleased God to give us peace [i.e. the peace of the Pyrenees] we the undersigned judge it appropriate to draw up regulations to guide us as much as possible. Everyone knows the licence which has been common at all times in the provinces of Périgord and Limousin. For the continuation of the [peace] we have proposed the following articles, which it seems to us should be approved by all reasonable persons.⁴¹

The articles sought both to reform manners, exhorting deniers of God, the envious, quarrellers, sodomites, and counterfeiterers to repent under pain of being excluded from the community of nobles, and to regulate interpersonal relationships among nobles and their lackeys in such a way as to reduce the possibility of disputes over honour and precedence. In the event of a dispute a swift reconciliation was ordained: 'if some quarrel or dispute should occur during social gatherings disinterested parties will be able to judge the case definitively.' In many respects, these exhortations were not dissimilar to those which had emanated from the medieval pulpit, and most of the articles pertained to the traditional rules of hospitality, setting out mutual obligations of host and guest. For example, there were strict rules to be followed, regarding the provision of wine: guests being within their rights to refuse a particular vintage and demand another; no one was under obligation to drink against his wishes; and 'anyone who drinks more than twelve glasses of wine at dinner will be declared a drunkard'. Regulating customary drinking practices did not get to the root of the problem. Charles-Antoine de Ferrières marquis de Sauvebeuf, lieutenant-general of Périgord, was embroiled in violent disputes with several neighbours, exacerbated by his switch to the royalists during the Frondes, in response to which he was the main sponsor of the association. It was only partly successful and its remit did not extend to the capital, for on 5 September 1663 Sauvebeuf killed one of his enemies in a duel in the courtyard of the Parlement of Paris.⁴²

Some former libertines and duellists did, like Fénélon, undergo a conversion experience and professed a strict Counter-Reformation inner piety, and a handful, like Conti, were influenced by Jansenism; but within the broad religious revival in mid-century there were older currents at work too, currents which had stronger resonance for the gentry. Writing in the 1460s Jean de Bueil made it clear in his counsel to young knights that to fight for pride, envy, or avarice imperilled salvation:

never go to war for a bad quarrel, and do not abuse the grace that God has granted you, by being bold and valiant in the service of the devil; that is to say by serving men in a bad quarrel, neither proudly, nor enviously, nor for men full of vengeance, and if God pleases we shall acquire our salvation with the exercise of arms in the same way as if it were to spend it in contemplation.⁴³

⁴¹ 'Une association de civilité entre gentilshommes du Limousin et du Périgord, 1659', *Bulletin de la société historique et archéologique du Périgord*, 53 (1926), 285–7. It was signed by 22 men.

⁴² Jobert, *Recherche du privilège des nobles*; Huet, *Histoire de la maison de Ferrières-Sauvebeuf*, 47–53; Nadaud, *Nobiliaire*, ii. 123.

⁴³ Bueil, *Le Jouvencel*, ii. 20–1.

Those who had taken part in the Frondes or used civil war as a cover for their own private quarrels were as troubled by thoughts of their salvation as their fifteenth-century ancestors. Bueil referred to the Burgundian–Armagnac civil wars as the most pernicious example of war caused by the sin of envy, planted by the devil in men through flattery and ambition: ‘but truly those who were the hardest in this quarrel, will in the end be the most punished’.⁴⁴ The Confraternity of the Passion was tapping into an atavistic chivalric culture that privileged the idea of a just cause as the path to salvation. Significantly, the Confraternity had initially been dedicated to the cult of St Louis, ostensibly the first French king to abolish trial by combat. The revival of chivalric ideals can also be seen in changing attitudes to death. During the Renaissance, a noble death had become increasingly associated with establishing an individual’s earthly reputation through renown and glory—this made duelling an attractive proposition despite its prohibition by the Church. For Reformers, Protestant and Catholic, this heroic autonomy was a sign of earthly vanity, and they emphasized the spiritual and redemptive properties of death as experienced through suffering, serenity, and repentance. True immortality was to be achieved in heaven, and the medieval idea of the redemptive nature of sacrifice in the name of a just cause remained strong and underwent a revival during the Counter-Reformation.⁴⁵

To accept that there was a religious and moral revival under way in the 1650s is not to accept that by itself it led to the wholesale transformation of aristocratic behaviour. As in the Middle Ages, an outward display of piety was not an automatic indicator of self-discipline and self-constraint. A strict Counter-Reformation piety made greater inroads among the urban notability, among the educated, and the robe who wished to distance themselves from the immorality of the mass of petty gentry. In a society where the noble honour code continued to be the dominant mode by which one judged oneself and others, the duty owed to God was only one factor that contributed to a sense of what was right. For many who underwent a conversion experience in the 1650s piety remained only skin deep. René marquis de l’Hôpital had murdered a local tax official and beaten and mutilated a priest—‘his bitter enemies’—and the case was so serious the Parlement of Paris would not register his letters of remission. In 1657 the duchess de Longueville successfully took up his cause and oversaw his redemption from libertinage. The privilege of Saint-Romain was in tune with Counter-Reformation piety, presenting as it did an edifying act of penitence, and that year he was accorded its pardon. However, when he discovered that, though his salvation was assured, he was still exposed to civil reparations, he complained bitterly ‘that after so many useless humiliations and public expiations, that I have performed, it is not right that it should yet cost me so great a sum’.⁴⁶

⁴⁴ Bueil, *Le Jouvenel*, i. 124.

⁴⁵ Germa-Romann, *Du Bel mourir*.

⁴⁶ Floquet, ii. 12.

LOUIS THE PEACEMAKER

Louis XIV's reign is traditionally associated with the completion of a process of royal absolutism, a shift to an authoritarian system of government, achieved in part by the domestication of the nobility. The reforming zeal of the early years of the reign is impressive: a renewed edict (1651) to combat duelling, the war against noble violence taken into the provinces with the Great Assizes of the Auvergne (1665–6) and Upper Languedoc (1666–7), the judicial system rationalized through the unification of law codes and practices (1667–70); and a new jurisdiction for Paris created (1667) with its own police force for a city that had long since outgrown its medieval walls. A different form of repression operated at Versailles, where, we are told, the aristocracy internalized strict rules of etiquette into self-constraint.

Despite recent reassessments of Louis XIV's reign this image remains powerful. It is an image that Louis himself wished to foster through propaganda: hence the issue of medals commemorating both the abolition of duelling and the Great Assizes (Fig. 14.1). The success of repression can be challenged on empirical grounds, notably the impact of the Assizes.⁴⁷ A more serious objection is to be made against the notion that somehow the crown and the nobility are in competition for a limited source of power, and that the authority of the former is to be secured by taking away the power of the latter. For those influenced by Elias this will be compounded by his tendency to see historical change as a rather traditional top-down, court-centred phenomenon. Likewise, Foucault's insights enable us to discern dominant discourses and their transformation and even to demonstrate the points of resistance, but his anti-humanism cannot accommodate human agency.

Far from imposing conformity on the social elite, Louis XIV was responding to a spontaneous desire for the rebuilding of social peace through strong kingship and moral reform. This explains why Hobbes's notion of untrammelled royal sovereignty was much less controversial in France than in England. For Hobbes and many Frenchmen in the 1650s, peace was to be found by subordinating their desires and wills to that of the sovereign, not because he knew better but because it was better for one's own security and well-being. Since men will never agree, central to social peace is the role of arbitration. Hobbes establishes this as the fifteenth precept of natural law: 'parties who have a dispute of right among them should both submit to the arbitration of a third party.'⁴⁸ This notion had immense force for those noblemen in the 1650s who craved active kingship in order to terminate the violence that had made social life unbearable. It is no coincidence that the most important practical French handbook on peacemaking,

⁴⁷ See above Chapter 13.

⁴⁸ *On the Citizen*, ed. R. Tuck and M. Siverthorne (Cambridge: Cambridge University Press, 1998), 51.



FIG 14.1. Louis XIV restores order in the provinces and abolishes the duel. From *Médaillies sur les principaux événements du règne de Louis le Grand* (Paris, 1723). By permission of the British Library: shelfmark 603.1.2.

Alexandre de la Roche's *L'Arbitre charitable*, was published in the 1660s, going through at least four editions in Paris and Lyon from 1666 to 1679. La Roche boasted that it had been translated into four languages and distributed to every bishop in the kingdom, and that every parish priest in the archdiocese of Paris had a copy. La Roche extolled the virtues of Conti in Languedoc and of Louis XIV

himself (Fig. 14.2) who is here presented dispensing justice in person to his poor subjects.

Posterity has not preserved well the image of Louis 'the peacemaker'. For contemporaries however the power of royal arbitration to cut through the labyrinthine and corrupt system of justice had a powerful attraction—its appeal linked to the historical and metaphysical properties of Christian kingship. Characteristically, Hobbes incorporated the scriptural basis for the injunction on kings to pursue peace with the fundamental laws of nature.⁴⁹ The thousands of letters of pardon with the Great Seal that Louis issued at his coronation, on his marriage, and every time he entered a town for the first time reaffirmed his power to impart grace and displayed his charismatic persona to a wider and more socially diverse audience than participated in the rituals of Versailles. Louis may have had a mind, as Saint-Simon put it, 'au-dessous de la médiocre', but he had practical experience of the evils of political disorder as a youth, was a student of the history of kings, weak and strong, and inspired by his grandfather, a tireless peacemaker, rather than by his father, whose piety made him morose and introspective. In his memoirs for the instruction of the dauphin, compiled in the 1660s, Louis confronts the problem of maintaining control over the dispensation of his grace, a pressing issue since 'justice . . . seemed to me the most difficult thing to reform'.⁵⁰ At first he had left letters of remission to the discretion of the chancellor, but soon changed his mind because of the terrible state of affairs he had inherited: 'Pardons demanded and snatched rather than waited for . . . with obligations on no one, except to thereby offend those whom one wished to refuse'.⁵¹ Reform involved an enormous amount of hard work. Louis made it known that he was happy to receive personal or written requests concerning disputes and lawsuits, which he deliberated on with the chancellor in attendance—it is these weekly council meetings that inspired la Roche's panegyric. Determined to avoid the uninhibited distribution of pardons with the Great Seal that had followed his coronation in 1654, Louis ordered the chancellor to draw up a list of men sentenced for duelling, and in the event over 220 names were excluded from the pardon rolls drawn up for the king's wedding in 1661.⁵² The expectation was not that these men should face corporal punishment but that they should be left exposed to appropriate civil damages and periods of banishment, thus satisfying the desire of the opposing party for revenge. Peace was thus established with justice. The slow process of reasserting royal control over the settlement process is evident in the way in which the privilege of Saint-Romain, in direct contravention of the royal crackdown on duelling, continued to elect candidates, most of them noble, who were unworthy. In 1681, Florimond de Monsures was chosen, having killed his neighbour Henri de la Baume in a dispute over hunting rights, followed the next year by an attorney who had ambushed his enemy on the road between Rouen and

⁴⁹ Ibid. 59.

⁵⁰ Louis XIV, *Mémoires pour les années 1661 et 1666*, ed. J. Longnon (Paris: Tallandier, 1923), 59.

⁵¹ Ibid. 57–8.

⁵² Discussed above, p.158.



FIG 14.2. Louis XIV, flanked by a secretary of state, the captain of the guard, and courtiers, settles in person the disputes of his humblest subjects. From A. de la Roche, *L'Arbitre charitable pour éviter les procez et querelles; ou du moins pour les terminer sans peine et sans frais* (Paris, 1668). By permission of the British Library: shelfmark 5404.aaa.27.

Bouville. Royal disapproval of such men was shared by the Parlement of Rouen and within a few years the pressure on the canons to exclude the unworthy had put an end to aristocratic abuse of the privilege.⁵³

Not only did Louis request duellists to submit their versions of events and their stories, which were then reviewed in the light of the evidence, he granted audiences to provincial nobles embroiled in blood feuds.⁵⁴ All this required much background information. During the early years of the personal rule the intendants were redeployed and redirected: they began to spend longer in their jurisdiction, acting as the main source of intelligence for the crown and leaving mundane matters of administration in the hands of the local office-holders. In many respects they now operated above the ordinary royal administration, 'arbitrating provincial quarrels more effectively, using the intendant as an expert investigator

⁵³ See above, p.220.

⁵⁴ For example BN MS Fr 17345 fos. 314–57, 559.

and the royal council as an authoritative judge'.⁵⁵ This was particularly effective where there was a like-minded governor, such as Conti. This process encouraged intendants to report troublesome nobles which, even if a successful prosecution was unlikely, damaged their chances of obtaining royal largesse.⁵⁶ In 1665 the intendant of Picardy was sent to investigate a complaint by the First Estate of the city of Amiens that duelling had got out of hand among the soldiers of the garrison.⁵⁷ Intendants were not the only royal spies operating in provinces: the anti-duelling edict of 1679 ordered judges to send regular reports of feuds in their jurisdictions, and bishops were to notify the king of duels in their dioceses.⁵⁸

Although the practice of using *lettres de cachet* to imprison suspects without trial in the Bastille later came to symbolize the tyrannical nature of absolute monarchy, in relation to aristocratic violence powers of arbitrary arrest were essential if the crown was to intervene and prevent a dispute from escalating, removing one of the parties from the hothouse of local politics and permitting cooler counsel to intervene. On 19 January 1660 the chevalier de Grancey voluntarily entered the Bastille after he had abducted Mademoiselle de Nonant and both families had assembled their forces. He was released eleven days later.⁵⁹

This policy of proactive intervention in disputes before they ended in bloodshed also characterized Louis's approach to duelling. It was inspired by the Confraternity of the Holy Passion which lobbied hard for a new edict (1651). Two years later at the proclamation of his majority the king made a declaration, establishing a *Tribunal du point d'honneur* in each province, a revival of the medieval post of the lieutenants of the marshals, with the purpose of composing disputes before they got out of hand. In 1693 this office was augmented with a staff of archers and clerks, a bureaucratic organization that was completed with yet more officials in 1704.⁶⁰ As always during the Ancien Régime, fiscal necessity required the creation of a new tier of offices which then came into conflict with existing institutions, in this instance the provincial governors.⁶¹ In any event, as François Billacois has shown, Louis XIV was hardly more successful at eradicating duelling than his predecessors. Outright repression was not an option because of the cultural resistance to executing men widely perceived as pursuing rights consonant with the profession of arms. Ministers and judges were caught between the sensitivities of

⁵⁵ W. Beik, *Absolutism and Society in Seventeenth-Century France: State Power and Provincial Aristocracy in Languedoc* (Cambridge: Cambridge University Press, 1985), 323. In 1678 the intendant of the Auvergne, Fortia, terminated a long-running dispute between the Beaufort-Canillac and the Oradour: J.-B. Fouilhoux, 'Fiefs et châteaux forts relevant de la comté d'Auvergne', *Mémoires de l'Académie des Sciences, Belles-lettres et Arts de Clermont-Ferrand*, 27 (1926), 521.

⁵⁶ Colbert de Croissy, *État du Poitou*, 147–8; BN MS Fr 17345 fo. 323 'Report of Jean Bochart intendant of Limoges, 4 Sept. 1656'.

⁵⁸ Billacois, *Le Duel*, p. 299.

⁵⁷ BN Mélanges de Colbert 141 fos. 49, 59.

⁵⁹ F. Funck-Brentano, *Les Lettres de cachet à Paris: étude suivie d'une liste des prisonniers de la Bastille, 1659–1789* (Paris: Imprimerie Nationale, 1903), 11–12, 13, 17–18.

⁶⁰ Brioist et al., *Croiser le fer*, 290.

⁶¹ *Preuves de l'égalité du pouvoir de messieurs les maréchaux de France et les gouverneurs de province dans l'accommodement des querelles* (Paris, 1679).

the royal conscience and social reality, and they had to learn how to square the circle. In 1676 a highly sensitive political situation threatened to develop when two intimates of the king's brother, Monsieur, were arrested for duelling. In the end a compromise was reached between the king, his brother, and the chancellor: in order that the king and his brother could both maintain face it was resolved 'to punish this combat more by the severity of a long trial and an exact and rigorous investigation than by a definitive sentence'.⁶² Of thirty-seven trials for duelling between 1661 and 1700, Billacois was able to uncover only one execution.⁶³ Pardons continued to be issued to duellers as long as the tale did not trouble the king's sensibilities: the comte de Rochefort was told by his patron that he could only procure a pardon for him if it was represented as a fortuitous encounter rather than as a duel 'for [the king] had sworn an oath at his coronation that he would have no pity for duellists, and we have never seen since that the king has forgotten his oath'.⁶⁴ By this means duelling was reduced, though it was far from being eradicated; as Louis himself admitted it was a 'little moderated' but 'the healing in proportion to an inveterate illness already so far advanced'.⁶⁵

PRIVATIZING AND MILITARIZING VIOLENCE

Because the king wills it, it is so. Is the eradication of duelling another illusion, conjured like the image of absolute monarchy, another façade, like Versailles, behind which social relations operated according to deeper, unchanging structures? The abbé de Saint-Pierre thought so: after the king's death he poured scorn on Louis's claims, estimating that there were 300 duels a year between 1667 and 1717.⁶⁶ However, even if we accept these figures (and he gives no sources) there is evidence to suggest that vindictory violence was undergoing a qualitative change in the final third of the seventeenth century, partly due to wider social and economic change and partly as a result of royal policy.

At the end of the seventeenth century the trajectory along which the feud moved was more likely to end in successful arbitration because civil war and social dislocation were no longer the norm in the provinces, and if local initiative failed, intelligence allowed the crown to intervene more effectively. But in relation to some traditional causes of friction, it is possible that neighbourly disputes were less likely to begin at all at the end of the century, or at least not end in bloodshed. Louis viewed hierarchy as the basis of good order and he distrusted upward mobility: he dispensed patronage and organized court life accordingly. Advancement under Louis depended to a much greater extent than before on the establishment of one's pedigree. Social mobility from the sixteenth century had created a much larger and less homogeneous social elite, creating tensions on a structural level between

⁶² Billacois, *Le Duel*, 301.

⁶³ And three on cadavers: Billacois, *Le Duel*, 302–3.

⁶⁴ Courtitz de Sandras, *Les Aventures du comte de Rochefort*, 155.

⁶⁵ *Mémoires pour les années 1661 et 1666*, 58.

⁶⁶ Billaçois, *Le Duel*, 303.

robe and sword, and in the parish between the socially ambitious and those fighting to defend the status quo. Asserting and defending one's status often entailed violence. The crown's primary goal in restricting ennoblement was to protect its tax revenues, but it was sympathetic to noble concerns that stricter controls be placed on social upstarts. Although it had conducted investigations of the nobility and their titles, in order to weed out the unworthy, since the fifteenth century, these *recherches* were conducted more systematically in the seventeenth century, culminating in the investigations conducted into usurpation throughout the entire realm in 1666–8.⁶⁷ Documentary proof rather than oral testimony was essential to the establishment of status. This attempt to distinguish better between noble and non-noble was part of a wider campaign to reinforce social distinctions in all areas of public life, a process that was aided by the slowing of social mobility itself. Those who had purchased office had an interest in protecting their investment by preventing ever more newcomers from entering their ranks: Mazarin's attempts to sell ever more offices were a major cause of the office-holders' revolt in 1648. Commoners who had made it into the nobility had a vested interest in pulling up the social ladder once they had achieved their position. Caste mentality was accentuated by endogamy. As social barriers congealed and hierarchical distinctions became more refined, disputes over hunting rights, honours, and feudal dues became less pregnant with meanings for social supremacy. Henceforth pedigree emerged as the most significant indicator of status, generating the mania for genealogy in the seventeenth century founded on verifiable documentary evidence (even if forged), rather than on oral claims to excellence.⁶⁸

Research on the later seventeenth century is required to confirm this pattern, but such a project will not be easy due to a further change in the nature of the feud in this period. Heretofore, the expectation was that honour should be vindicated publicly and that noble violence had a theatrical purpose. Louis XIV's propaganda campaign against the duel in particular had a significant part to play in removing violence from the public arena, especially in Paris and in the immediate environs of the court, and thereby reducing its value as a tool of political and social advancement. Since the king had willed it, it was so—a fiction promoted by official organs, such as the *Gazette* and the *Mercure galant*: in the years 1661–1700 they make no mention of a single incident of duelling. This pattern is replicated in other printed sources: Billacois found 164 affairs of honour mentioned in the period 1600–40 but only forty-two references for the period 1661–1700.⁶⁹ The parameters of public discourse about noble violence, and duelling in particular, were set by awareness of royal disapproval. Print culture was more effectively policed under Louis XIV, but self-censorship must also have been a factor, for to celebrate private violence, as the chevalier de Guise had done in 1613, was now

⁶⁷ Parker, *Class and State*, 140.

⁶⁸ On the politics of genealogy: C. Maurel, 'Construction généalogique et développement de l'État moderne: la généalogie des Bailleul', *Annales ESC*, 46 (1991), 807–26.

⁶⁹ Billacois, *Le Duel*, 306.

political suicide. Vindictory violence under Louis XIV began to move from the theatre of public spaces in daylight to the crepuscular, a retreat from the public sphere exemplified by the spread of masks among duellists in the eighteenth century and the growing tendency to fight at night in the back streets, especially in Paris.⁷⁰ This was incomplete in the provinces even by the late eighteenth century.⁷¹ In Paris, too, vindictory violence was not immediately removed from the public gaze: in 1666 the comte de la Feuillade and the chevalier de Clermont continued an old tradition by fighting on the Pont Neuf. Neither was killed however and it did not seem to damage their careers unduly—the former went on to become marshal of France.

The depoliticization and privatization of the duel was a long-term process, which began with Louis's intention to reassert the principle that blood should not be shed in the vicinity of the royal person, and that his express command demanding mediation should not be ignored. Under Louis there would be no political advantage to be gained from duelling, and he demonstrated this in 1663 after the marquis de la Frette quarrelled with the comte de Chalais-Talleyrand and pushed him during a ball, agreeing to fight the next day. On hearing of the challenge, Louis sent the chevalier de Saint-Aignan to tell them to desist, but instead of doing so he listened to the entreaties of la Frette, his first cousin, and agreed to act as one of his seconds in combat that pitted them and two others, the bastard de la Frette and Hangest-Argenlieu, against Chalais, Noirmoutier de la Trémoille, Pardaillan-Gondrin marquis d'Antin, and François de Grossolles marquis de Flamarens. D'Antin was killed. Louis was furious, especially with Saint-Aignan, who had to be disowned by his father and royal favourite, the duc de Beauvillier.⁷²

As men of high status, they haughtily expected to endure a period of exile while the cogs of patronage set in motion the process of rehabilitation. But Louis would not play the game. In this case banishment meant banishment: Saint-Aignan died fighting the Turks the following year; Chalais-Talleyrand initially entered Spanish service before dying penniless in Venice in 1670. A close watch was kept on them, now facilitated by improved intelligence. In 1683 Louis wrote to the governor and intendant of Guyenne that he had heard that the Flamarens had returned from exile, 'declaring to you that if I learn, under any pretext, that you are neglecting to arrest and place in the hands of justice those found in your *gouvernement* convicted of this crime, not only will you know of my ill will, but I shall not stop at taking measures that will not be to your advantage'.⁷³ Flamarens fled to England, where he had previously enjoyed the protection of Charles II, and thence to Spain where he lived on a meagre pension of 2,000 *écus*, dying at Burgos in 1706.⁷⁴ Louis did however make an exception with the la Frette, perhaps because of papal

⁷⁰ Briost et al., *Croiser le fer*, chapter 7.

⁷¹ N. Castan, *Justice et répression en Languedoc à l'époque des lumières* (Paris: Flammarion, 1980); Briost et al., *Croiser le fer*; Hanlon, 'Les Rituels de l'agression'.

⁷² Fret, *Antiquités*, ii. 502; Courtitz de Sandras, *Les Aventures du Comte de Rochefort*, 155–9.

⁷³ BN MS Clairambault 901 fo. 915.

⁷⁴ Anselme, ix. 390.

intercession, but the political careers of the brothers were over: they were forbidden to wear livery, carry arms, and frequent public places, and even, it was said, to marry.⁷⁵

In any case, exile in the later seventeenth century was, in many respects, a less attractive option than it had been before, since under Louis XIV the power and patronage of the French monarchy outshone all the other princely courts of Europe. One of the precepts of the civilizing process is that violence is increasingly 'confined to barracks'. In an important recent work, Guy Rowlands has shown how Louis XIV was able to expand substantially the size of the ramshackle and chaotic army left to him by the cardinal ministers, with major implications for political stability.⁷⁶ Numbering 320,000 men by 1693, it was the largest army Europe had ever seen. Perhaps the greatest single achievement was the creation of a larger, better-trained officer corps, which numbered in the region of 20,000 men in the mid-1690s, of whom 80 per cent were noblemen. These men enjoyed significantly better conditions of service than had existed before 1660—a major factor in promoting loyalty to the dynasty. Military service was costly and arduous and, because of the structural weaknesses of royal finance, a long military career had traditionally been the preserve of the wealthy.⁷⁷ From the 1660s the lesser nobility entered royal service in ever greater numbers, coming to form the backbone of the officer corps. Maintenance was a traditional virtue of good lordship and the concept of service was deeply embedded in the noble ethos. Louis's achievement was to help noblemen fulfil their ambition, creating a service that better satisfied the desire for social advancement via honour and reward. Crucial to this was the improvement of conditions of service, limiting officers' expenses, providing more regular pay, a more widespread use of pensions for good service and disability, and the introduction of a system of half-pay for demobilized officers during peacetime. Before 1660 regiments had been raised for a single campaign; under Louis they tended to be retained on a permanent footing, which not only encouraged officers to have a long-term stake in their units but created the possibility for a more structured and secure career path—a process aided by the introduction of a cadet system to train young officers.

Poor discipline was associated with moral laxity and great efforts were made to combat ignorance, banish licence, and mould nobles into soldiers with a professional ethos. It was in attempts to reform immoral and violent behaviour that Louis would have least success: the culture of the evolving officer corps was to be a libertine one, and the campaign against duelling was particularly resisted in the army, where the squabbles over honour were the currency of everyday existence. Ambivalence to prosecution of duellers in the army and the influx of thousands of fresh officers produced a significant rise in duels during the Nine Years War—even

⁷⁵ Louis de Rouvray, duc de Saint-Simon, *Mémoires*, ed. G. Truc, 7 vols. (Paris: Gallimard, 1948–61), ii, 1038–40.

⁷⁶ G. Rowlands, *The Dynastic State and the Army under Louis XIV* (Cambridge: Cambridge University Press, 2002).

⁷⁷ *Ibid.* pt. ii.

colonels joined in.⁷⁸ This culture did not change in the eighteenth century. In fact, the huge expansion of the army may have contributed to the spread of duelling among the lower orders. Recent analysis of 810 duels in the period 1700 to 1790 shows that duels averaged sixty to seventy per decade in the second half of Louis XIV's reign, thereafter rising rapidly to a peak of 140 during the 1740s.⁷⁹

So the creation of something resembling a modern officer corps under Louis XIV did not in itself reduce interpersonal violence. But there is reason to believe that in one crucial respect it made a substantial contribution to wider social change among the social elite. A structured profession satisfied the quest for promotion, and as transfers between regiments became more common, so a more diverse geographic mix among officers was created. *Esprit de corps* was built around a regiment and loyalty owed to it rather than to one's kinsmen or patron. Young noblemen were removed from civil society for long periods, to frontier garrisons or barracks far from their homes and their kin; their disputes were likewise far removed from the requirements of local politics, in which the vindication of honour through violence was a means of political control and social advancement. Outside the web of local social relations into which he was born, honour for the young cadet became a more individual affair. Crudely put the duel was slowly divorced from the blood feud to which it had become dangerously wedded since the Wars of Religion. The French officer of the eighteenth century was the precursor of that class of deracinated junior officers dissected in the fiction of Lermontov and Joseph Roth.

CONCLUSION

Vindictory violence was not eradicated during the reign of Louis XIV; rather, like faction, it was managed more effectively than before. Peace was not imposed by authoritarian diktat, but built on a deep-seated desire for strong kingship. Whereas all social groups united in their opposition to outsiders who enforced unpopular policies, like tax collection and troop billeting, they all welcomed the intervention of outside agencies which could help in the pursuit of justice and the reconciliation of disputes. Peasants hoped that royal authority would protect them from unscrupulous lords. Nobles needed a higher authority to maintain equilibrium in their tumultuous ranks and encourage them along the tortuous path of reconciliation. After 1660, the despised intendants ceased to be a major source of provincial discontent as the crown sought to work with the local administration. Intendants and governors were more attentive to the building of social peace through arbitration, a process aided at the centre by the reassertion of royal control over pardons. During the early years of his personal rule Louis XIV was probably

⁷⁸ Rowlands, *The Dynastic State and the Army under Louis XIV*, 237.

⁷⁹ Briost et al., *Croiser le fer*, 362–5.

more concerned with the minutiae of dispute settlement than any other French king before or after. He applied the rules for issuing pardons more systematically after 1660. The example of his beloved grandfather was a good one—but Louis was better informed, more able, and more inclined to intervene in local disputes before they escalated. Pardons were now less subject to the complaints of factional advantage that had characterized Richelieu's ministeriat, or to the chaos and egregious corruption that operated under Mazarin, which had resulted in grievances and did little to foster true reconciliation. In some respects peacemaking after 1660 continued to be arbitrary: many injustices continued to go unpunished; reconciliations tended to seal the social pre-eminence of the more powerful party; patronage remained crucial to the process. Louis was helped by social change: by the revulsion felt by many nobles in the 1650s at their own behaviour and at the bad example they set for their social inferiors; by the abatement of antagonisms among nobles, especially with the slowing of social mobility. In the final analysis, vindictory violence was too deeply embedded in the social relations and world view of French nobles to be repressed entirely. Instead, the traditional role of the crown in mediating and regulating noble disputes was reasserted and re-established by the policies of Louis XIV. When arbitration failed vindictory responses had to be more carefully weighed, and became more discreet and recondite.

Conclusion

Civilization is built on violence. The French nobility was acculturated to violence which coexisted with courtliness. This has been forgotten because for too long political history was written from the point of view of the modern state, which could only triumph if the violent instincts of a recalcitrant nobility were suppressed, and because of the privileging of high politics, reducing the field of analysis to a narrow elite. Consequently, the essential narrative of the linear growth in royal power, with its cast of winners and losers, has remained preserved in aspic since the nineteenth century. Neglect of the basic foundations of narrative history means that without renewal and repair the newer edifices of social and cultural history are liable to crack and crumble. Revilers of political history share much with those archaic creatures who hold that politics is essentially about chaps poring over maps. Conservatives and their enemies have a common interest in preserving this image: the one because it conserves their narrow vision of human affairs; the other because it underscores how proper history should be done.

Behind these assumptions lies the belief that we are all agreed what politics was in the past or meant for our ancestors. Politics, in the sense of the art or science of government, is a concept that derives from the Enlightenment. Before then politics cannot be divorced from social relations and from the personal, a feature that in monarchical regimes is embodied by the figure of the ruler. So for the pre-modern period politics incorporates such diverse themes as sex, status, and patronage, as well as ideas and administration. These new themes have been the object of recent enquiry by historians who, by applying the innovations of social and cultural history, have enriched our understanding of political action and expanded the traditional boundaries of political history in early modern Europe. But we need to go further. Politics is above all the struggle for power and domination, through the medium of persuasion or force. This much is clear from the well-trodden path of the grand narrative of high politics. What this narrative hides are the byways and thoroughfares of the banal, everyday politics of social interaction: between neighbours, among kinsmen, between a lord and his peasants, between noble and non-noble, between litigants. This everyday politics, micro-politics, or politics of the parish, largely revolved around issues of rights, social pre-eminence, and economic exchange, from time to time inflected by wider political and religious upheavals. In France, at least, violence was often attendant on this form of politics.

The early modern period is always viewed as a transitional time, marking the passage from medieval to modern. It is an age whose characteristics are therefore both change and continuity. If this book has succeeded in nothing else than

overturning the traditional division between medieval and early modern and in expanding the range and terrain of political history then it will have achieved its purpose. The changes and continuities delineated in this study are not the ones traditionally accepted by historians. Feuding is indelibly associated with the Middle Ages, with a culture that is opposed to modernity. But, in fact, evidence for the feud before 1559 is fragmentary. Among the aristocracy at least private violence was increasingly under control during the late Middle Ages: revenge killing as a feature of high politics had been eradicated by the beginning of the sixteenth century. Factors often identified with modernity did much to create the conditions for a recrudescence of vindictory violence: social mobility, Protestantism, and the duel. Vindictory violence increased in France because of, not in spite of, the social and economic dynamism associated with the Renaissance, as the traditional elite was challenged by the enterprising and socially mobile.

Even together social dislocation and religious change would not have been sufficient to turn traditional enmities into increasingly bloody exchanges without the failure of monarchy after 1559. Because France was a composite polity, a state which imperfectly melded together regions with distinctive and varying identities, stability depended greatly on the charismatic authority of the king, whose power was displayed in the splendour of his court and in the size and success of his armies. Kings had little difficulty in extending their authority when they were competent and their legitimacy unquestioned: the privileging of the king's quarrel and near monopoly attained over the power of clemency was as important as the growth in royal income in the building of a stable kingdom in the century after the end of the Hundred Years War. Centralization meant that when the monarchy failed the kingdom's collapse was all the more spectacular, and the failure to uphold the peace in the feud for decades was to sharpen religious antagonism still further and to prolong vindictory violence's effectiveness as a political tool long into the seventeenth, and in some wilder regions into the eighteenth century.

It is hoped that this book begins the renewal of political history from the bottom up. It will enable us to look at the state afresh. Such a project will have to be sensitive to regional and local diversity: what remains so alluring about France is that local diversity and the highly varied pace of social change from region to region exposes points of comparison and disjuncture. Further regional studies of the feud will correct and nuance the findings presented here. In particular, customary law codes varied widely and contributed considerably to contrasting regional cultures of dispute. Demographic and economic pressures, too, played their part. There is good reason to believe that in some parts of eastern France, with its lower density of nobles and Protestants and its distinct customary laws, which for example lessened disputes over hunting rights, the feud was less bloody and prolonged than in the south and west, the primary area of focus for this study. Lorraine, where Germanic customs had taken root, provides a further contrast. Brittany, with its high proportion of poor petty nobles, may turn out to be the most profitable region for a study of the noble feud, especially in those parts where

the custom of egalitarian partible inheritance prevailed, which 'produced constant and lasting competition between siblings'.¹

Further studies must pay particular attention to the social relations of office-holders in local society, and not simply focus on them as agents of royal repression or bureaucratic control. Office-holding is traditionally studied from the perspective of the state and research has in the past concentrated on the small minority of senior magistrates or high financiers. Comparatively little is known about the outlook and activities of the mass of petty officials. Their social ambitions undoubtedly drew them into disputes and embroiled them in feuds, but where possible they may have augmented the status afforded by their offices by acting as mediators and promoting peace among their neighbours. At a higher level the role played by feud in determining factional allegiance requires greater reflection.

In reconfiguring our notion of the civilizing process we also need to be aware of the omnipresence of war, of the ways in which the origins of civil society are predicated on violence. War tends to reinforce social cohesion in warrior societies that display a high level of internal political organization and central control.² This maxim applies to France when the ruling dynasty was stable. From at least the Crusades onwards foreign war provided a powerful cohesive force for the monarchy. When kings were winning it contributed to internal cohesion, but even when they were not it provided a legitimate and glorious field of action for the aspirations of a warrior nobility. Derived from Christian doctrine, the concept of just war had a redemptive quality that appealed to a warrior elite. As *Le Jouvencel* says, 'God loves well those who expose their lives in war against the malcontented, the disavowed, the miserable, the proud, and those who go against good justice.'³

In France, peace within the kingdom was secured by the mobilization of the nobility in foreign wars. War, it was argued, was necessary for a healthy commonwealth. Humanists, in particular, described war using medical metaphors, as a purgative, flushing out, or as a surgical operation, excising malignant elements from the body politic.⁴ The king's war was diversionary, where idleness only bred faction, conspiracy, and internal disorder. Louis XIV in particular sought to satisfy the ambitions of his nobles more fully within the service of the monarchy, and during his reign the proportion of noblemen on active royal service, hitherto a minority, grew substantially.⁵ *Pace* Elias, what happened in early modern France was not the pacification of a warrior class into factions of intriguing courtiers, but the more systematic redeployment of those whose profession was arms, who claimed the right to violence, in the service of the monarchy. It was a slow and

¹ M. Segalen, '“Avoir sa part”: sibling relations in partible inheritance Brittany', in Medick and Sabean (eds.), *Interest and Emotion*.

² N. Rouland, *Legal Anthropology*, trans. P. Panel (London: Athlone Press, 1993), 258.

³ *Le Jouvencel*, ii. 20–1.

⁴ J. Cornette, *Le Roi de guerre: essai sur la souveraineté dans la France du Grand Siècle* (Paris: Rivages, 1993), 92–5.

⁵ *Ibid.* 294 provides some figures.

uneven process, beginning with the creation of a standing army in the fifteenth century and culminating in the militarization of the nobility under Louis XIV into a professional officer corps on a scale heretofore unimagined. It responded to a need. Nobles and commoners alike welcomed a stronger central authority capable of controlling the feud. Many nobles were heartily sick of the dislocation and economic costs of their own behaviour and were eager to put their past behind them if their social ambitions could be better satisfied in royal service. The early modern state was almost exclusively the product of man's dedication to war. Perhaps more than any other European monarchy, the legitimacy of the ruling dynasty in France rested on success in war, on its ability to use instrumental violence, a reminder that civilization comes at a cost.

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